

UNDERCOVER POLICING INQUIRY

Equality & Diversity Policy

1. The Undercover Policing Inquiry (“**the Inquiry**”) aims to be a diverse and representative ¹organisation that takes a zero-tolerance approach to Bullying, Harassment & Discrimination (BHD) and where everyone is treated with respect, differences are valued, and staff feel heard and empowered to challenge inappropriate behaviour and actions. The Inquiry recognises and values people’s differences and will assist them to use their talents to reach their full potential. The Inquiry will do all it can to ensure it recruits, trains and promotes people based on qualifications, experience and abilities for all roles within the organisation.

The Aims of the Policy

2. This policy is designed to ensure that the Inquiry complies with its obligations under equality legislation and to demonstrate its commitment to treating people equally and fairly.
3. The Undercover Policing Inquiry is unreservedly opposed to any form of discrimination on the grounds of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation (defined as “Protected Characteristics”).
4. Using fair and objective employment practices, the Inquiry aims to ensure that:
 - All inquiry team members and potential inquiry team members are treated fairly and with respect at all stages of their employment.
 - All inquiry team members and potential inquiry team members have the right to be free from harassment and bullying of any description, or any other form of unwanted behaviour. Such behaviour may come from

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¹ Representative – the Inquiry aspires to have a workforce reflecting the UK-wide population

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other inquiry team members or from people (third parties) who are not inquiry team members, such as those participating in the Inquiry.

- All inquiry team members and potential inquiry team members have an equal chance to contribute and to achieve their potential, irrespective of any defining feature that may give rise to unfair discrimination.
- All inquiry team members and potential inquiry team members have the right to be free from discrimination because they associate with another person who possesses a Protected Characteristic or because others perceive that they have a particular Protected Characteristic, even if they do not.

The Scope of the Policy

5. The policy applies to all those engaged by the Inquiry to work for it ('inquiry team members'), and also to job applicants and potential employees and all other persons under consideration for a role as an inquiry team member ('potential inquiry team members').
6. The policy applies to all stages of employment including recruitment and selection, promotion and training.
7. The policy is particularly intended to cover the following, non-exhaustive, types of discrimination:
8. **Direct Discrimination** is when an employee or applicant is treated less favourably than someone else because of their:
 - sex
 - marriage or civil partnership
 - gender reassignment
 - pregnancy and maternity leave
 - sexual orientation
 - disability
 - race
 - religion or belief
 - age

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Where there is no genuine occupational requirement for it.

9. People also must not be discriminated against because they are on a part time or fixed term contract.
10. **Indirect Discrimination** is where there is a working condition, practice or rule that disadvantages one group of people more than another. In other words it is more difficult for people from one group to comply with the requirement. Even if it is done accidentally indirect discrimination is unlawful. Indirect discrimination is only allowed if it is necessary for the way the business works, and there is no other way of achieving it.
11. **Discrimination Arising from Disability** is where a disabled person is treated unfavourably because of something connected to their disability where it cannot be objectively justified. This only applies where the Inquiry knew or could reasonably be expected to know that the person was disabled.
12. **Associative Discrimination** is where someone is treated worse than someone else because they are associated with someone with a Protected Characteristic.
13. **Perceptive Discrimination** is where someone is treated worse than someone else because there has been an incorrect assumption that they have a Protected Characteristic. This applies even if the person does not possess the characteristic.
14. **Victimisation** arises where someone has previously been involved in making a claim under the Equality Act, or has alleged a breach of the Act, or has given evidence, provided information, or done any other thing in connection with the Act and is subsequently victimised (made subject to a detriment) as a result of having done so.
15. **Harassment** is where a person engages in unwanted conduct relating to a characteristic protected by the Equality Act (including conduct of a sexual nature), and the conduct has the purpose or effect of (a) violating another

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person's dignity, or (b) creating an intimidating, hostile, degrading, humiliating or offensive environment for another person.

16. **Third Party Harassment** is where an employee is harassed by a third party who is not an employee. If the Inquiry becomes aware of third party harassment, the Inquiry will take steps to prevent it happening again.

Policy Statement

17. As an organisation, we value the variety of different views, outlooks and approaches that a diverse workforce brings. This assists us to provide an effective inquiry. We will do all we can to ensure no one will receive less favourable treatment or is to be disadvantaged by requirements or conditions, which cannot be shown to be justifiable.

Responsibilities

18. Inquiry team members have a duty to act within this policy, to ensure it is followed and to draw attention to any suspected discriminatory acts or practices.
19. The responsibility for promoting awareness of this policy rests with the Chairman of the Inquiry. The responsibility for monitoring that it is being followed rests with the Secretary and the Solicitor to the Inquiry.

Equality and Diversity in Practice

20. In carrying out the policy, the Inquiry will pay particular regard to the following:
 - The use of selection criteria that do not unlawfully discriminate in recruitment and promotion procedures;
 - Requiring entry to employment or progression within it to be based on merit;
 - Not discriminating in opportunities for recruitment, training, promotion or transfer of inquiry team members;
 - Ensuring that every individual is assessed according to his or her personal capability to carry out a given job/role;

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- Ensuring that all employees are given equal treatment with regard to terms and conditions of employment, provided they do the same or broadly similar work, or work of equal value;
- Ensuring equal opportunities and non-discrimination in the operation of grievance and disciplinary procedures;
- Ensuring that all relevant requirements of the Equality Act in relation to disability are met and adhered to. This will include making reasonable adjustments to ensure access to employment;
- Ensuring that all and any changes to the legislation relating to discrimination are identified and complied with.

Communications

21. All members of staff of the Inquiry will be involved in creating an equality driven environment and one that values diversity. The existence of this policy will be promoted through and reinforced by:

- Making a copy of the policy publicly available on the Inquiry website;
- Ensuring that this policy has been read by all Inquiry team members and that they have acknowledged doing so;
- Ensuring that all new starters have the opportunity to discuss the policy with line managers / colleagues;
- Ensuring the Inquiry's Equality, Diversity & Inclusion steering group discusses the policy and defines areas where practice or process could be improved;
- Making use of team meetings to discuss the policy and define areas where practice or process could be improved;
- Ensuring all Inquiry team members undertake the Civil Service Diversity and Inclusion training ;
- Incorporating specific responsibilities into job/role descriptions.

Working with Partners

22. The Inquiry ensures that the partners whom it engages under contract are also committed to diversity and equality from the obligations placed on

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suppliers through the Crown Commercial services framework. These are then monitored and managed through the Inquiry's own contract management arrangements.

Participants in the Inquiry and Followers of the Inquiry

23. We will not discriminate on the ground of a Protected Characteristic, harass in relation to a Protected Characteristic or victimise because of a protected act (actual or perceived) in the conduct of the Inquiry.
24. We will make our services accessible by:
 - Considering formats for any material published by the Inquiry for general accessibility;
 - Using appropriate and accessible language/ formats / fonts/ size;
 - Considering whether information should be available in alternative formats for example easy read /other languages;
 - Considering how the Inquiry's publications are published / communicated;
 - Considering the accessibility of locations used by the Inquiry;
 - Considering the particular needs of those engaging with the Inquiry.

Monitoring the Policy

25. This policy will be monitored to judge to what extent it is working, and to identify areas for improvement.
26. Monitoring will relate to Inquiry team members, and methods used will include capturing diversity data for Inquiry staff so that this information can be used as the basis for decisions and further actions within the Inquiry. The data will be anonymised to comply with Data Protection legislation. The Inquiry's Equality, Diversity & Inclusion Steering Group will also help identify and address any issues concerning the implementation of the policy which will be reported to the Inquiry's Senior Leadership Group.
27. The responsibility for monitoring the policy shall be shared between the Secretary and the Solicitor to the Inquiry.

Reporting Discrimination / Potential Discrimination and the Handling of Breaches of this Policy

28. Breaches of this policy by members of staff should be dealt with in the first instance by the raising of a grievance with either the line manager of the affected individual, or by way of a grievance / complaint made directly to the Secretary or the Solicitor to the Inquiry.
29. Inquiry team members are also personally liable under equality legislation for any act of unlawful discrimination (subject to s.37 Inquiries Act 2005).
30. Any individual within the scope of this policy who feels that they have suffered any form of discrimination should raise the issue through their line manager, or directly with either the Secretary or the Solicitor to the Inquiry.
31. Inquiry team members should also use this approach if they feel that they have been the subject of harassment from someone who is not an employee of the Inquiry. The Inquiry will not tolerate any harassment from third parties towards its team members and if it occurs, will take appropriate action to prevent it happening again.
32. If an inquiry team member witnesses behaviour that they find offensive in relation to age, marriage or civil partnership, pregnancy and maternity, disability, gender reassignment, race, religion or belief, sex and sexual orientation, even if it is not directed at them, they should also report this using this procedure.

Review

33. This policy will be reviewed once every year by the Secretary and the Solicitor to the Inquiry to ensure that it remains up to date and reflects the needs and practices of the Inquiry. The policy may also be reviewed if legislation changes or if monitoring information suggests that policy or practices should be altered.

Date of latest review: 28 October 2020