



# Racial Equality, Equal Opportunities, Diversity and Inclusion

## People management policy and procedure

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## 1. Policy statement

The purpose of the Equal Opportunities and Diversity Policy is to:

- To communicate Amnesty International Ltd.'s commitment to equality of opportunity in employment and diversity in the workplace
- To ensure that employment matters within Amnesty International adhere to best practice and relevant employment law
- To clarify the responsibilities of stakeholders under this policy
- To provide a framework for dealing with complaints from individuals who believe that they have been unfairly discriminated against

## 2. Scope

In this document, the term "Amnesty International Ltd." refers to Amnesty International's International.

Secretariat, registered in the United Kingdom as a company limited by guarantee in the name of 'Amnesty International Ltd'. This policy applies to all employees of Amnesty International but it does not form part of employees' terms and conditions of employment and may be subject to minor updates and statutory changes at the discretion of Amnesty International. Where employees are engaged overseas, this policy shall be applied in the first instance as the base standard, subject always to the operation of local employment law which may provide supplemental rights or remedies. We are determined to promote equality and diversity in our London and overseas offices and have prepared an action plan which outlines the steps required in order to achieve global minimum standards in our London and overseas offices. The Action Plan will be reviewed and updated on an annual basis. Please refer to the Action Plan in Appendix V for further information.

## 3. Legal duties

3.1 The Equality Act 2010 (UK) replaced a number of existing anti-discrimination laws to simplify and strengthen equality law, removing inconsistencies and making it easier for people to understand and comply with.

3.2 This policy is the instrument through which we comply with our obligations as an employer and a service provider<sup>1</sup> as set out in the Act. As such all our stakeholders need to understand the protections and obligations conferred on them by the Act.

3.3 The purpose of the Act is that everyone has the right to be treated fairly at work or when using services. It protects people from discrimination by employers and service providers on the basis of nine protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity

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<sup>1</sup> An organisation is a service provider if it provides goods, facilities or services to the general public or section of it, regardless of whether these are free or paid for. Amnesty International is therefore a service provider.

- Race<sup>2</sup>
- Religion or belief<sup>3</sup>
- Sex/ Gender
- Sexual orientation.

3.4 Trade union representatives and members also have legal protection against unfair treatment on the ground of trade union activity. We will not treat employees unfairly on the grounds of trade union membership or non-membership. Unfair treatment includes dismissal and subjecting employees to detrimental treatment. We respect the right of our employees to join a trade union of their choosing if they so wish; currently we have a collective bargaining agreement with one stipulated Union, Unite.

3.5 Our Equal Opportunities and Diversity Policy takes account of legal standards governing the area of equality and diversity. We aim to abide by and promote this legislation by following both the letter and the spirit of it.

## 4. Types of protections

The Equality Act (UK) protects our all employees, volunteers, contractors, consultants and suppliers against the following:

### 4.1 Direct discrimination:

Direct discrimination means treating a person or group less favourably than another in their employment on the basis of their sex, gender, gender identity, pregnancy or maternity, sexual orientation, religion or beliefs, marital status, civil partnership status, race, ethnic origin, colour, nationality, national or ethnic origins, disability or age.

### 4.2 Indirect discrimination:

Indirect discrimination occurs when a requirement or condition, although equally applied to all people, disproportionately disadvantages group(s) of employees covered by this policy. Those individuals would be disadvantaged without any justifiable reason. Unjustified indirect discrimination will be unlawful in relation to the protected characteristics of age, marriage and civil partnership, race, religion or belief, sex, and sexual orientation but not pregnancy and maternity.

### 4.3 Harassment:

Is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity—for more information please refer to section 9) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct. Please refer also to the Bullying and Harassment Policy.

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<sup>2</sup> Throughout this document the word 'race' is to be understood to include colour, race, nationality or ethnic or national origins in line with the Race Relations Act 1976 (UK).

<sup>3</sup> The Equality Act 2010 (UK) defines religion or belief as:

(1) Religion means any religion and a reference to religion includes a reference to a lack of religion.

(2) Belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief.

(3) In relation to the protected characteristic of religion or belief—

*(a) a reference to a person who has a particular protected characteristic is a reference to a person of a particular religion or belief; (b) a reference to persons who share a protected characteristic is a reference to persons who are of the same religion or belief.*

#### 4.4 Associative discrimination:

Is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and (according to guidance from the UK Government and ACAS (UK)<sup>3</sup> pregnancy and maternity). Please refer to section 9 for more information.

#### 4.5 Perceptive discrimination:

Is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

#### Combined discrimination:

Occurs where a person (A) discriminates against another (B) if, because of a combination of two relevant protected characteristics, A treats B less favourably than A treats or would treat a person who does not share either of those characteristics. The relevant protected characteristics are: age, disability, gender, assignment, race, religion or belief, sex and sexual orientation.

#### Victimization:

Occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010 (UK), or because he/she is suspected of doing so. However, an employee is not protected from victimization if he/she acted maliciously or made or supported an untrue complaint. There is no longer a need for a complainant to compare his/her treatment with someone who has not made or supported a complaint under the Equality Act 2010 (UK). For example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments, and is then systematically excluded from all meetings, such behavior could amount to victimization.

#### Third party harassment:

Occurs where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as clients or customers.

In circumstances where an employer fails to prevent third party harassment, there are two potential claims which can be lodged under the Equality Act 2010:

- a direct discrimination claim, where the employer failed to act because of a protected characteristic, which results in less favorable treatment of the employee concerned when compared to how others were (or would have been) treated
- a harassment claim, on the basis that the employer's inaction amounts to unwanted conduct related to a protected characteristic that violates the employee's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for the employee

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<sup>4</sup> ACAS stands for the Advisory, Conciliation and Arbitration Service. They provide information about employee relations and independent advice. Please also refer to Appendix II.



## 5. Key principles

- In order to achieve our fundamental mission and to maintain our ethos, we consider that it is both vital and also a genuine occupational requirement (as defined by the Equality Act 2010 (UK)) that every employee is committed to Amnesty International's values and behaviors and is actively working in accordance with these
- Amnesty International is committed to creating and sustaining a working environment in which everyone has an equal opportunity to fulfil their potential irrespective of sex, gender, gender identity, pregnancy or maternity, sexual orientation, religion or beliefs, marital status, civil partnership status, race, ethnic origin, colour, nationality, national or ethnic origins, disability, age or part-time status. Amnesty International embraces diversity in the workplace, recognising that this brings a diversity of skills and experience thus enhancing our capacity to deliver to our goals
- Amnesty International is committed to treating all employees with dignity and respect and will not treat its employees unfavourably on the basis of their sex, gender, gender identity, pregnancy or maternity, sexual orientation, religion or beliefs, marital status, civil partnership status, race, ethnic origin, colour, nationality, national or ethnic origins, disability, age or part-time status
- This policy applies to permanent and temporary employees, volunteers, consultants and contractors based in the UK and our international offices
- Responsibility for implementing this policy rests with all employees, who are required to cooperate with measures introduced by Amnesty International to ensure the application of this policy. The Senior Director of ODHR, the Secretary General, the Senior Leadership Team and all managers have particular responsibility in ensuring the implementation of this policy and communicating their commitment to the policy
- All employees have a joint responsibility to ensure that in the course of their employment no employee or job applicant is treated unfairly on the grounds of sex, gender, gender identity, pregnancy or maternity, sexual orientation, religion or beliefs, marital status, civil partnership status, race, ethnic origin, colour, nationality, national or ethnic origins, disability, age or part-time status
- All employees are personally responsible for preventing behaviour by themselves or observed behaviour of others that has the effect of being disrespectful or intimidating or discriminatory towards any individual on the basis of their sex, gender, gender identity, pregnancy or maternity, sexual orientation, religion or beliefs, marital status, civil partnership status, race, ethnic origin, colour, nationality, national or ethnic origins, disability, age or part-time status
- All employees have a responsibility to guard against the use of language or behaviour which could be perceived as, or have the effect of, being racist, sexist or demeaning to groups covered in this policy
- Amnesty International will provide training for employees and managers in the application of this policy
- Amnesty International is committed to create an enabling environment in which all employees will feel empowered to report incidents of harassment, abuse, victimisation or pressure to discriminate against themselves and others. Please refer to the Amnesty International Bullying and Harassment Policy

## 6. Equal opportunities in employment

6.1 As part of its commitment to equal opportunities, Amnesty International will ensure that recruitment, selection, flexible working and personal development processes and practices reflect our principles. This will allow us to achieve a workforce that best reflects the community from which it is drawn. (Please see the Recruitment and Selection Policy & Procedure for further information). Amnesty International will:

- a. Ensure that person and job specifications are limited to those requirements that are necessary for the effective performance of the role;
- b. Ensure that all vacancy adverts include an appropriate statement on equal opportunity;
- c. Ensure that all vacancy adverts include all relevant information (location, flexibility of location/start date etc.);
- d. Ensure that all advertising literature will reflect Amnesty International's commitment to equal opportunities within recruitment and employment. Where employment agencies or third parties are used to recruit employees, they shall be informed that Amnesty International is an equal opportunities employer and shall be asked to abide by the organisation's policies on equal opportunities. They will also be provided with a copy of this policy.
- e. Ensure that reasonable adjustments will be considered throughout all stages of the recruitment and promotion processes so as not to disadvantage those with disabilities. When considering a disabled candidate's suitability for a position, they will be assessed on the assumption that any reasonable adjustments have been made or will be made.
- f. Ensure that disability, personal or home commitments that are reflected and agreed in a formal flexible working arrangement will not form the basis of employment decisions, except where necessary;
- g. Ensure that the organisation will monitor the ethnic, gender and age composition of job applicants and the number of people with disabilities within these groups where available;
- h. Regularly review the processes for recruitment and selection, promotion, provision of training and development opportunities, to ensure no individual is treated less favourably on the basis of sex, gender, gender identity, pregnancy or maternity, sexual orientation, religion or beliefs, marital status, civil partnership status, race, ethnic origin, colour, nationality, national or ethnic origins, disability, age or part-time status;
- i. Provide information on equal opportunities legislation for all employees involved in recruitment and selection.

## 6.2 Appraisals

Our Equal Opportunities and Diversity Policy applies to the appraisal process. When evaluating and reporting on performance, managers should base their assessments solely on evidence, not on assumptions about employee and stereotypes.

We have devised the guidance note 'Performance management and employees with a disability' which can be found in the Appendix IV.

## 6.3 Equality and pay

We have a commitment to a pay system that is transparent and based on objective criteria. Equal pay, free from gender or other unjustified bias, for the same or broadly similar work (that is for work that rates as equivalent and for work of equal value), operates within the Amnesty International.

## 7. Dignity at work

7.1 All employees have the right to work in an environment, which is free from any form of bullying or harassment. Bullying or harassment at work in any form is unacceptable behaviour and will not be permitted or condoned. Any individual who considers they have been subject to bullying or harassment may take action in accordance with Amnesty International Bullying and Harassment Policy. For definitions of 'bullying' or 'harassment', see 'Glossary of terms' in Appendix III.

## 8. Flexible working/ work-life balance

8.1 Amnesty International is committed to move towards a flexible working environment built around a common commitment to our vision and values. As part of this commitment, we will consider terms and conditions of employment, which make it as easy as possible for all employees to make the most effective contribution to Amnesty International. In particular, we will consider flexible working patterns, leave and care arrangements. Amnesty International aims to encourage a healthy work-life balance for all employees through the following policies and procedures:

- Policy and procedure on Flexible Working
- Maternity provisions
- Adoption provisions
- Parental leave policy
- Paternity/Co-parenting provisions
- Shared Parental Leave
- Policy and procedure on Time off for dependents

## 9. Primary equality grounds

9.1 Amnesty International does not have separate policies to cover different areas of equality. It has primary but not exclusive focus on 9 equality grounds which are referred to in brief below:

### 9.2 Age

We believe it is positive to have a workforce of employees of different ages and to encourage the contributions of younger and older people, within the terms of our core business. We require all our employees and stakeholders to ensure that there is no age discrimination in work related activities and to promote age diversity as appropriate and practicable.

### 9.3 Disability

We are committed to addressing discrimination against disabled people and to promoting their inclusion in public life. Disabled people are specifically protected against discrimination 'arising from disability'. For example they would be protected from an employer penalising them from taking regular comfort breaks to manage chronic pain when they would reasonably be expected to know that the employee has a registered disability. This type of discrimination is only justifiable if an employer can show that it is a proportionate means of achieving a legitimate aim.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Where an employee becomes disabled, whether through accident, illness or injury, every reasonable and practicable consideration will be given to ensuring that he/she may remain in employment.

Examples of steps Amnesty International should take are:

- making reasonable adjustments to premises;
- allocating some of the disabled employee's duties to another person;
- transfer to an appropriate alternative position;
- alteration of working hours;
- transfer to a different location/place of work;
- time off during working hours for rehabilitation, assessment or treatment;
- training and/or re-skilling;
- modification or purchase of appropriate equipment;
- modification to instruction and/or reference manuals and literature;
- modification to testing and/or assessment procedures;
- provision of a reader or interpreter;
- provision of supervision and assistance

If, after a full exploration of reasonable adjustments to the individual's current role, the adjustments have been unsuccessful, then consideration should be given to finding an alternative post.

Please refer to 'Sources of assistance for disabled employees for further information' in Appendix IV.

#### 9.4 Gender reassignment

Gender reassignment is a personal process (rather than a medical process) which involves a person expressing their gender in a way that differs from the physical sex they were born with. This personal process may include undergoing medical procedures or may include choosing to dress in a different way as part of the personal process of change. Under the Equality Act 2010 (UK), a person will be protected because of gender reassignment where they:

- make their intention known to someone (may be a relative, friend, employer or doctor);
- once they have proposed to undergo gender reassignment they are protected, even if they take no further steps or they decide to stop later on;
- they do not have to have reached an irrevocable decision that they will undergo gender reassignment, but as soon as there is a manifestation of this intention they are protected;
- start or continue to dress, behave or live (full-time or part-time) according to the gender they identify with as a person;
- undergo treatment related to gender reassignment, such as surgery or hormone therapy, or have received gender recognition under the Gender Recognition Act 2004 (UK)

It does not matter which of these applies to a person for them to be protected under the Equality Act 2010 (UK) because of the characteristic of gender reassignment.

#### 9.5 Marriage and civil partnership

It is possible for same-sex couples to register a civil partnership, which gives them many of the same rights as a married couple. The Equality Act of 2010 (UK) protects employees who are in a civil partnership, or marriage, against discrimination.

Direct discrimination occurs when someone is treated less favourably than another person because of being in a civil partnership or marriage.

Indirect discrimination can occur when an employer has a condition, rule, policy or a practice in a company that applies to everyone but will disadvantage people who are in a civil partnership or marriage.

Victimisation Treating a person less favourably than others because the person has:

- brought proceedings under the Act;
- given evidence or information in connection with proceedings under the Act
- done any other thing for the purposes of or in connection with this Act
- made an allegation (whether or not express) that there has been a breach of the Act

Harassment The Equality Act 2010 does not prohibit harassment against those that are married or in a civil partnership; however, they may claim sex discrimination or sexual orientation discrimination harassment. In addition, under the Protection from Harassment Act 1997, an employer may be liable for a course of conduct by an employee which amounts to harassment.

## 9.6 Pregnancy and maternity

A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled. During this period, pregnancy and maternity discrimination cannot be treated as sex discrimination but must be argued under the specific pregnancy and maternity provisions of the Equality Act 2010.

## 9.7 Race

We recognise that racial discrimination is a complex phenomenon which can be based on grounds of 'race', nationality, religion, culture and/or colour and other physical markers linked to ethnic belonging.

Our work is enriched by the different ethnic/racial and cultural groups we engage with. We require all employees and stakeholders to ensure no discrimination on grounds of race/ethnicity takes place and to take positive action to support the inclusion of racial/ethnic groups and promote good, reciprocal relations and equality of opportunity.

## 9.8 Religion or belief

We value and respect the religion and belief and cultural diversity of employees working in the Amnesty International and in the communities in which we operate, and make every endeavour to ensure that needs and preferences are met.

Where there are existing work requirements which may conflict with particular cultural or religious needs, we carefully consider whether it is reasonably practical to vary or adapt these to enable needs to be met.

## 9.9 Gender and sex

The term 'sex' refers to biologically determined differences, whereas 'gender' refers to differences in social roles and relations. Gender roles are learned through socialisation and vary widely within and between cultures. Gender roles are also affected by age, class, race, ethnicity, and religion, as well as by geographical, economic, and political environments. Moreover, gender roles are specific to a historical context and can evolve over time, in particular through the empowerment of women.

The Equality Act 2010 (UK) provides rights for men and women not to be discriminated against (treated less favourably) on the grounds of sex (gender). It is against the law to discriminate, harass or victimise an employee (potential, current or past), contractor, consultant, volunteer or people we work with because of their sex.

As part of its equality agenda Amnesty International Limited aims to:

- provide an environment that is inclusive and promotes dignity and respect;
- eliminate sexist bullying and harassment against employees and people we work with by ensuring that all members of Amnesty International community have the skills to recognize and challenge such behaviour and that effective procedures are used to deal fairly with cases if they occur
- aim for a workforce where women and men are represented at all levels of the workforce and in all areas of work
- ensure that employee support services meet the needs of men, women and trans persons and are accessible

### 9.10 Sexual orientation

We are committed to tackling discrimination and harassment against lesbian, gay, bisexual, transgender and intersex people and to creating an environment enabling individuals to be open or otherwise about their sexual orientation and/or gender identity.

All employees have the right to expect that their private life will be respected and that negative attitudes, behaviours or stereotypes, on the basis of their real or perceived sexual orientation, will not be tolerated at work.

## 10. Customers, suppliers and other people not employed by the organisation

10.1 Amnesty International will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by the organisation.

10.2 Amnesty International suppliers identified as high risk (e.g. via the Corporate Relationship Advisory Group) or with high spend (over £50,000 during the contract term) will be subject to an ethical check<sup>4</sup>, currently carried out by Ethical Consumer (a 3rd party ethical screening organisation). The results of the screen will flag any potential issues to the Procurement team who will then ensure that these are taken into consideration by the IS individual responsible for signing off the supplier contract (see sign off levels as per the IS Procurement Policy).

10.3 The Procurement team also ensure that these supplier signs up to the IS Supplier Code of Conduct that asks the supplier to confirm by signing up to this code that 'no discrimination is practised' as well as more generally respect the rights set out in the International Bill of Human Rights. 10.4 All consultants will be asked to abide by the Equal Opportunities and Diversity Policy as per consultancy agreement. 10.5 All consultants and suppliers will also be provided with a copy of this policy on request.

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<sup>4</sup> Ethical Checks: Are carried out by a 3rd party provider (Ethical Consumer) on a cost per screen basis. The screen draws together data from a range of sources including Ethical Consumer's Corporate Critic (that contains 20 years' worth of research), checks on company ownership and a press search of mainstream, business and campaign group sources. In addition, Ethical Consumer carry out a specific search in relation to the company and Amnesty International to understand whether Amnesty International has made direct reference to or taken action against the company that is being screened. Each screen scores the company out of 15 against 5 distinct criteria that also include sub categories; these are Environment, Animals, Product Sustainability, Politics and People (this includes Human Rights, Workers Rights, Supply Chain Management, Arms & Military Supply). If any concerns are identified via the screen, this is then flagged to the individual responsible for signing the supplier contract and if required will be referred to the CRAG for a final decision around the company's suitability to be made.

## 11. Training

11.1 Amnesty International will provide training in equal opportunities and diversity to managers and others likely to be involved in recruitment, appraisals or other decision making where equal opportunities and diversity issues are likely to arise.

The organisation will provide training to all existing and new employees and others engaged to work at the organisation to help them understand their rights and responsibilities under the bullying and harassment policy & procedure and what they can do to help create a working environment that supports equal opportunities and diversity. The organisation will provide additional training to managers to enable them to deal more effectively with this.

## 12. Raising an issue

- Employees and candidates for employment have the right to appeal against decisions or acts contrary to the terms of this policy.
- Where an individual does not want to raise a formal complaint, they may discuss the issue confidentially with a member of the ODHR team to agree a way forward.
- For instances of indirect discrimination, individuals should bring this to the attention of their line manager and/ or the Union to consider how to respond. If they are unsure of whether they have been indirectly discriminated against, they should speak confidentially with a member of the ODHR team.
- For instances involving direct discrimination, victimisation or bullying and harassment, particular care must be taken to deal effectively and sensitively with all formal complaints, in a confidential manner. Please see the Bullying and Harassment Policy & Procedure and/or the Grievance Policy & Procedure for next steps.
- Complaints, which after a full investigation are found to be malicious, will be dealt with under the Disciplinary Policy & Procedure.

## 13. Monitoring

13.1 To evaluate the successful implementation of this policy, Amnesty International will collect and monitor certain information, namely:

- Collection, monitoring and assessment of recruitment and selection activities and decisions by sex, gender, gender identity, pregnancy or maternity, sexual orientation, religion or beliefs, marital status, civil partnership status, race, ethnic origin, colour, nationality, national or ethnic origins, disability or age (where information is supplied);
- Creation and maintenance of employee records relating to sex, gender, gender identity, pregnancy or maternity, sexual orientation, religion or beliefs, marital status, civil partnership status, race, ethnic origin, colour, nationality, national or ethnic origins, disability or age;
- Creation and maintenance of training and promotional records of all employees relating to sex, gender, gender identity, pregnancy or maternity, sexual orientation, religion or beliefs, marital status, civil partnership status, race, ethnic origin, colour, nationality, national or ethnic origins, disability or age;
- Surveys of the workforce;
- Periodic audits

Please refer to the Action Plan in the Appendix VI for more detailed information.

13.2 The results of the monitoring will be reported to the SD ODHR quarterly and Senior Leadership Team annually.

13.3 Amnesty International will take appropriate action where the results of the monitoring demonstrate inequality of opportunity.

## 14. Legislation

14.1 Amnesty International is committed to complying with all current legislation in relation to Equal Opportunities and Diversity, and will regularly review existing HR policies to ensure ongoing compliance as any new legislation is introduced.

## 15. Equality statement

15.1 Amnesty International is committed to ensuring that all people management policies, and their application, are free from any form of discrimination on the grounds of: sex, gender, gender identity, pregnancy or maternity, sexual orientation, religion or beliefs, marital status, civil partnership status, race, ethnic origin, colour, nationality, national or ethnic origins, disability, age part-time status; or any other personal characteristics.

Amnesty International will monitor use of this Policy in order to identify whether it is having an adverse impact on any particular group of individuals, and take action accordingly.

## 16. Communication and implementation

16.1 The policy will be communicated through the following means:

- a. Amnesty International Intranet
- b. Business Partner briefings to managers'
- c. Induction for all new employees

## 17. Effective date

This policy is effective from 1 January 2014.

## 18. Review

This policy will be reviewed in light of changes to legislation that may impact on the use of this policy within Amnesty International.



# Appendix I

## Roles and responsibilities

### Line managers

As a line manager you should ensure that staff and volunteers in your team are fully aware of their individual and collective responsibilities under this policy.

If you are a line manager and a colleague raises an issue or concern about direct or indirect discrimination, you need to:

- Explain Amnesty International's policy and procedure in relation to Equal Opportunities and Diversity. This means you need to ensure you understand the policy
- Give appropriate support, including advising what will happen next in any formal or informal process
- Encourage the person to seek support, for example through Amnesty International's Employee Assistance Programme (see the full list of resources) or through the ODHR team
- Be clear about what you can and cannot hold in confidence
- Provide a fair and reasonable approach to dealing with the employee's concerns
- Act as quickly as possible
- Promote and support an attempt at informal resolution wherever possible
- Engage actively and openly in any mediation that may be provided, where appropriate
- Seek advice from the ODHR team if appropriate/necessary
- Act at all times in a manner that is consistent with Amnesty International's values and behaviours

### ODHR

The ODHR team will:

- Provide advice, guidance and coaching to line managers and employees involved in resolving issues of discrimination
- Provide training to enhance the capability of managers to manage concerns raised by employees and help create a culture of dignity and respect
- Monitor the use of the Equal Opportunities and Diversity Policy & Procedure to ensure that it is a suitable resource and being used fairly and consistently
- Review and update the Equal Opportunities and Diversity Policy & Procedure in line with developments in legislation, best practice, and in response to feedback received about its use, where appropriate
- Maintain confidentiality
- Act at all times in a manner that is consistent with Amnesty International's values and behaviours

### Individual employees

Individual employees will:

- Assume personal responsibility for ensuring they behave in accordance with Amnesty International's values and behaviours

- 
- Report discrimination, bullying, unfair treatment or harassment that they experience or witness to the relevant manager or ODHR as appropriate.

### Employee representative

Employee representatives (work colleague or trade union representative) will:

- Facilitate resolution of issues by advising employees of the benefits of resolution
- Maintain confidentiality
- Act at all times in a manner that is consistent with Amnesty International's values and behaviours

Please refer to the People Management Policy Standards for more information.

# Appendix II

## External links

### ACAS (UK specific)

[www.acas.org.uk](http://www.acas.org.uk)

ACAS stands for the Advisory, Conciliation and Arbitration Service. They provide information about employee relations and independent advice. On their website you can find guidance about dealing with work-related concerns.

### Employee assistance programme (International)

<http://www.well-online.co.uk/> (username 'amlogin'; password 'wellbeing')

Line managers should also consider any additional support the employee may need and should ensure the employee is aware of our free confidential helpline and personal counselling service with CIC.

The employee can access this service via a 24-hour free phone helpline, which is answered by experienced external counsellors. They provide confidential advice and support for callers on a wide range of issues. Phone: 0800 919 709

### Equality Advisory and Support Service (EASS)

<https://www.equalityadvisoryservice.com/>

Provide information advice and support on discrimination and human rights issues to individuals in England, Scotland and Wales, recognising the constitutional, legal, social and policy differences Phone: 0808 800 0082

Textphone: 0808 800 0084

Post: FREEPOST Equality Advisory Support Service FPN4431

Opening hours:

09:00 to 20:00 Monday to Friday 10:00 to 14:00 Saturday closed on Sundays and Bank Holidays

### Access to Work:

Access to Work can help disabled people or their employers if their condition or disability affects the ease by which they can carry out their job or gain employment. It gives advice and support with extra costs which may arise because of certain needs.

Website: [www.direct.gov.uk](http://www.direct.gov.uk)

London, East England and South East England:

Telephone: 020 8426 3110

Email: [atwosu.london@jobcentreplus.gsi.gov.uk](mailto:atwosu.london@jobcentreplus.gsi.gov.uk)

Wales, South West England, West Midlands and East Midlands:

Telephone: 02920 423 29

Email: [atwosu.cardiff@jobcentreplus.gsi.gov.uk](mailto:atwosu.cardiff@jobcentreplus.gsi.gov.uk)

Scotland, North West England, North East England and Yorkshire and Humberside:

Telephone: 0141 950 5327

Email: [atwosu.glasgow@jobcentreplus.gsi.gov.uk](mailto:atwosu.glasgow@jobcentreplus.gsi.gov.uk)

#### Advice now:

An independent, not-for-profit website providing accurate, up-to-date information on rights and legal issues.

Website: [www.advicenow.org.uk](http://www.advicenow.org.uk)

#### Advice UK:

A UK network of advice-providing organisations. They do not give out advice themselves, but the website has a directory of advice-giving agencies.

Website: [www.adviceuk.org.uk](http://www.adviceuk.org.uk)

Email: [mail@adviceuk.org.uk](mailto:mail@adviceuk.org.uk)

Telephone: 020 7469 5700

Fax: 020 7469 5701

#### Association of Disabled Professionals (ADP):

The ADP website offers advice, support, resources and general information for disabled professionals, entrepreneurs and employers.

Website: [www.adp.org.uk](http://www.adp.org.uk)

Telephone: 01204 431638 (answerphone only service)

Fax: 01204 431638

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Email: [info@adp.org.uk](mailto:info@adp.org.uk)

### Carers UK:

The voice of carers. Carers provide unpaid care by looking after an ill, frail or disabled family member, friend or partner.

England

Website: [www.carersuk.org](http://www.carersuk.org)

Telephone: 0808 808 7777 (open Monday to Friday, from 10am until 4pm)

Email: [advice@carersuk.org](mailto:advice@carersuk.org)

### Childcare:

Childcare provides details of local childcare providers for employees and employers, as well as general information about childcare.

Website: <http://www.childcare.co.uk/>

### Citizens advice:

Citizens Advice Bureau provide free, confidential and independent advice in England and Wales. Advice is available face-to-face and by telephone. Most bureaux offer home visits and some also provide email advice. To receive advice, contact your local Citizens Advice Bureau, which you can find by visiting the website.

Website: [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

Telephone: (admin only) 020 7833 2181

Fax: (admin only) 020 7833 4371

### Civil legal advice:

Civil Legal Advice offers free, independent and confidential legal advice in England and Wales. Website:

<https://claonlineadvice.justice.gov.uk/>

Telephone: 0845 345 4345

### Gov:

Gov.uk is the UK government's digital service for people in England and Wales. It delivers information and practical advice about public services, bringing them all together in one place.

Website: <https://www.gov.uk/>

### Disability Law Service (DLS):

The DLS is a national charity providing information and advice to disabled and Deaf people. It covers a wide range of topics including discrimination, consumer issues, education and employment.

Website: [www.dls.org.uk](http://www.dls.org.uk)

Telephone: 020 7791 9800

Minicom: 020 7791 9801

### Gender Identity Research and Education Society (GIRES):

GIRES provides a wide range of information and training for Transgender people, their families and professionals who care for them. Website: [www.gires.org.uk](http://www.gires.org.uk)

Telephone: 01372 801 554

Fax: 01372 272 297

Email: [info@gires.org.uk](mailto:info@gires.org.uk)

### Government Equalities Office

The GEO sits within the Home Office which is the Government department responsible for equalities legislation and policy in the UK.

Website: <https://www.gov.uk/government/organisations/government-equalities-office>

Telephone: 020 7944 4400

### Law centres federation:

The Law Centres Federation is the national co-ordinating organisation for a network of community-based law centres. Law centres provide free and independent specialist legal advice and representation to people who live or work in their catchment areas. The Federation does not itself provide legal advice, but can provide details of your nearest law centre.

Website: [www.lawcentres.org.uk](http://www.lawcentres.org.uk)

Telephone: 020 7749 9120

### The Law Society:

The Law Society is the representative organisation for solicitors in England and Wales. Their website has an online directory of law firms and solicitors. You can also call their enquiry line for help in finding a solicitor. They do not provide legal advice.

Website: [www.lawsociety.org.uk](http://www.lawsociety.org.uk)

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Telephone: 020 7242 1222 (general enquiries)

### Mind's legal advice service

Mind provides legal information and general advice on mental health related law covering mental health, mental capacity, community care, human rights and discrimination/equality related to mental health issues.

Website: [www.mind.org.uk](http://www.mind.org.uk)

Email: [legal@mind.org.uk](mailto:legal@mind.org.uk)

Telephone: 0300 123 3393

### Mindful employer:

Mindful Employer provides information, advice and practical support for people whose mental health affects their ability to find or remain in employment, training, education and voluntary work.

Website: [www.mindfulemployer.net](http://www.mindfulemployer.net) Telephone:

01392 677064

Email: [info@mindfulemployer.net](mailto:info@mindfulemployer.net)

### NHS carers direct:

NHS Carers Direct gives information about carers' rights in employment and beyond, as well as the services available to them.

Telephone: 0300 123 1053

Website: [www.nhs.uk/carersdirect](http://www.nhs.uk/carersdirect)

### Pay and work rights helpline:

The Pay and Work Rights Helpline provides advice on government enforced employment rights. Website:

<https://www.gov.uk/pay-and-work-rights-helpline>

Telephone: 0800 917 2368

### People First Ltd:

People First is a charity run by and for people with learning difficulties. It provides information on selfadvocacy and provides training and consultancy for organisations and employers.

Website: [www.peoplefirstltd.com](http://www.peoplefirstltd.com)

Telephone: 020 8874 1377

Email: [general@peoplefirstltd.com](mailto:general@peoplefirstltd.com)

### Press for Change (PFC):

PfC is a political lobbying and educational organisation. It campaigns to achieve equality and human rights for all Trans people in the United Kingdom, through legislation and social change. It provides a free legal advice service for Trans people.

Telephone: 0844 870 8165

Website: [www.pfc.org.uk](http://www.pfc.org.uk)

Email: [office@pfc.org.uk](mailto:office@pfc.org.uk)

### Centre for Mental Health:

The Centre for Mental Health works to improve the quality of life for people with mental health conditions. They carry out research, policy work and analysis to improve practice and influence policy in mental health as well as public services.

Website: <http://www.centreformentalhealth.org.uk/>

Telephone: 020 7827 8300

Email: [contact@centreformentalhealth.org.uk](mailto:contact@centreformentalhealth.org.uk)

### Stonewall:

Stonewall is the UK's leading lesbian, gay and bisexual charity and carries out campaigning, lobbying and research work as well as providing a free information service for individuals, organisations and employers. Website: [www.stonewall.org.uk](http://www.stonewall.org.uk)

Telephone: 08000 50 20 20

Email: [info@stonewall.org.uk](mailto:info@stonewall.org.uk)

### Working families:

Working Families is a work-life balance organisation, helping children, working parents and carers and their employers find a better balance between responsibilities at home and work.

Website: [www.workingfamilies.org.uk](http://www.workingfamilies.org.uk)

Telephone: 0300 012 0312

Email: [advice@workingfamilies.org.uk](mailto:advice@workingfamilies.org.uk)



### WorkSMART:

WorkSMART aims to help everyone at work – whether or not they are union members – to get a good deal from their working life. Available to help when things go wrong at work or simply to give help for planning for the future.

Website: [www.worksmart.org.uk](http://www.worksmart.org.uk)

# Appendix III

## Glossary of terms

### Disability

The DDA defines a disabled person as someone who has:

*‘A physical or mental impairment which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.’*

Definition of the terms:

- ‘physical impairment’ includes sensory impairments;
- ‘mental impairment’ includes learning difficulties and an impairment resulting from or consisting of a mental illness;
- ‘substantial’ means ‘more than minor or trivial’; and ‘long-term’ is defined as 12 months or more

The definition includes a wide range of impairments, including hidden impairments such as dyslexia, autism, speech and language impairments, Attention Deficit Hyperactivity Disorder (ADHD). These are all likely to amount to a disability, but only if the effect on the person’s ability to carry out normal day-to-day activities is substantial and long-term, as defined above.

The effect on normal day-to-day activities is on one or more of the following:

- mobility;
- manual dexterity;
- physical co-ordination;
- continence;
- ability to lift, carry or otherwise move everyday objects;
- speech, hearing or eyesight;
- memory or ability to concentrate, learn or understand;
- perception of risk of physical danger

Anyone that has been diagnosed as having cancer, HIV infection or multiple sclerosis are automatically covered by the DDA.

### Diversity

Diversity is about recognizing, valuing and taking account of people’s different backgrounds, knowledge, skills, and experiences, and encouraging and using those differences to create a productive and effective workforce.

### Gender and sex

The term ‘sex’ refers to biologically determined differences, whereas ‘gender’ refers to differences in social roles and relations. Gender roles are learned through socialisation and vary widely within and

between cultures. Gender roles are also affected by age, class, race, ethnicity, and religion, as well as by geographical, economic, and political environments. Moreover, gender roles are specific to a historical context and can evolve over time, in particular through the empowerment of women.

The word 'gender' is often used in place of the word 'sex' in equality issues. 'Gender' does not appear in legislation but 'sex discrimination' and 'gender discrimination' are generally interchangeable.

## Gender reassignment

Gender reassignment treatment refers to a range of medical or non-medical treatments which a transgender person may wish to undergo. Treatments may include hormone therapy, sex or gender reassignment surgery including facial surgery, chest surgery, genital or gonad surgery, and can include (voluntary) sterilisation. In some states, some forms of gender reassignment treatment may be compulsory for legal recognition of a change in gender. Not all transgender people feel a need to undergo gender reassignment treatment. People who decide to live in the gender opposite to that assigned at birth, but do not undergo any medical procedures, are protected from discrimination under the Equality Act 2010.

## Gender identity

Gender identity refers to each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms.<sup>19</sup> An individual's gender identity may be male, female, or a gender which is neither male nor female; it may also be more than one gender, or no gender.

## Intersex

Intersex individuals possess genital, chromosomal or hormonal characteristics which do not correspond to the given standard for 'male' or 'female' categories as for sexual or reproductive anatomy. Intersexuality may take different forms and cover a wide range of conditions.

## Bullying and harassment

### Harassment

Behaviour which is unwelcome or unacceptable and which results in the creation of a stressful or intimidating environment for the victim amounts to harassment. It can consist of verbal abuse, racist jokes, insensitive comments, leering, physical contact, unwanted sexual advances, ridicule or isolation.

### Bullying

There is no legal definition but bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. This is behaviour which is not necessarily based on a difference of race or gender or any other equality strand. Bullying involves belittling or intimidation of an individual and may arise from the misuse of managerial status or as a result of certain physical and mental characteristics.

Bullying and harassment at work can cause fear, stress, anxiety and physical sickness amongst employees. It may also put a heavy strain on personal and family life. It can lead to increased absenteeism, an apparent lack of commitment, poor performance and even resignation.

Please see the Bullying and Harassment Policy for further information.

## Liability

Employers have legal liability for any act of discrimination (including harassment) carried out by their employees unless the employer can show that they have taken all reasonable practicable steps to prevent it.

## Protected characteristics

A protected characteristic is a group which is protected from discrimination under equality legislation. The Equality Act 2010 covers nine protected characteristics: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

## Sexual orientation

Sexual orientation refers to each person's capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender. A transgender individual's sexual orientation is described with reference to their gender identity rather than their gender assigned at birth; for example, a lesbian transgender woman is attracted to female partners.

Discrimination stemming from assumptions and perceptions of a person's real or perceived sexual orientation are also covered by law.

## Transgender

Transgender people are individuals whose gender expression and/or gender identity differs from conventional expectations based on the physical sex they were assigned at birth. Commonly, a transgender woman is a person who was assigned 'male' at birth but has a female gender identity; a transgender man is a person who was assigned 'female' at birth but has a male gender identity.

However, not all transgender individuals identify as male or female; transgender is a term that includes individuals who identify as more than one gender or no gender at all. Transgender individuals may or may not choose to undergo some or all possible forms of gender reassignment treatment.

## Victimisation

If a person has made or is making an accusation of discrimination in good faith, it is unlawful to discriminate against them for having done so, or because they intend to do so or it is suspected they intend to do so.

# Appendix IV

## Sources of assistance for disabled employees

Amnesty International can get help in employment matters from a variety of sources - including Access to Work and voluntary organisations.

### Access to work

Access to Work is an Employment Service programme for disabled people that is managed by the Disability Employment Team in local Jobcentres plus offices. Access to Work provides practical help and advice, and financial assistance to enable employers to make the most of the talents and potential of disabled recruits and employees. Financial assistance may vary, but can be up to 80% of costs above, 300 for existing employees and up to 100% for recruits. Managers and disabled employees should liaise with their HR Business Partner or HR Advisor.

This programme can provide a range of assistance to disabled people:

- a communicator for people who are deaf or have impaired hearing;
- a part-time reader or assistant at work for people who are blind or have a visual impairment;
- a support worker to help the disabled person either at work or in getting to/from work;
- alterations to premises or a working environment;
- adaptations to a car, or help towards taxi fares or other transport costs if the person cannot use public transport;
- supply of equipment or alterations to existing equipment dependant on specific needs e.g.
- for people who are blind or partially sighted - special computer equipment, closed circuit TV, large print output devices, tape recorders, pocket memos, talking calculators, braille measuring devices;
- for people who are deaf or hard of hearing - amplifiers, loud-speaking telephone amplifiers, text terminals;
- for people with walking, standing or sitting problems - electrically powered wheelchairs with riser seats, stand-up and kerb mounting facilities;
- for people with other physical disabilities or communication difficulties - electronic writing systems, special computer equipment or software, page turners, special chairs

## Performance management and employees with a disability

Employees with disabilities should be appraised on the basis of their performance in the job in the same way as other employees. Line managers should guard against making assumptions about the capabilities or potential of employees with disabilities. In particular they should not assume that a person with a disability, taking into account any adjustments which could be made, will be unable to make as effective a contribution as someone without a disability, or that they will be less interested in personal development.

## Setting objectives

Line managers should take into account the effects of an individual's disability when agreeing objectives. For example, it might be a reasonable adjustment to allow someone slightly longer to complete a task than might otherwise be the case.

## Interim reviews

Line managers should be aware that if the condition of a person with a disability is not stable, there may be a need for frequent review and revision of objectives. There are a variety of reasons why performance standards may not have been achieved. Line managers should be aware that a change in performance may be due to an existing or newly developed disability and ascertain whether this is the case through sensitive questions during the review meeting. (Advice may be sought from ODHR). When an employee returns from a period of extended absence, objectives should be adjusted to allow them to readjust to their working environment.

## Overall assessments

Line managers need to exercise judgement in taking account of external factors which are outside the individual's control. These would include making a reasonable adjustment to take account of the impact of a disability in terms of the individual meeting the objectives and demonstrating the competencies required for a particular post.