

DFID's Equal Opportunity Policy

This policy sets out DFID's approach to promoting Equality of Opportunity with the primary aim of providing equality for all and preventing any form of discrimination.

Policy Statement

DFID is committed to creating an inclusive working environment to maximise the potential of all staff, providing equal opportunities in all aspects of employment and avoiding unlawful discrimination at work. DFID will not tolerate discrimination, harassment, bullying or victimisation of employees or third parties who do work on DFID's behalf.

Who does the policy apply to?

The policy applies to all DFID Home Civil Service staff; to Staff Appointed in-county (SAIC) who are expected to adopt the same principles; contractors; consultants and any other third parties who carry out work on DFID's behalf.

Principles

The key principles of this equal opportunities policy are to:

- provide equality for all
- promote an inclusive culture
- respect and value differences of everyone
- prevent discrimination, harassment and victimisation
- promote and foster good relations across the workforce and with partners

This means being aware of the impact of our behaviour and thinking about the impact of employment policies and our programmes in the UK and overseas on people from the protected groups listed below.

The Law

Our policy is governed by the Equality Act 2010, which makes it unlawful to discriminate directly or indirectly, in recruitment or employment because of a protected characteristic. The protected characteristics are:

- age
- disability
- gender (or sex)
- gender reassignment
- race
- religion or belief
- sexual orientation
- pregnancy and maternity

- marriage and civil partnership

The Equality Act 2010 places the public sector under a statutory Equality Duty to eliminate discrimination, harassment and victimisation, advance equality of opportunity between people from different groups and foster good relations between people of different groups. As a result public organisations will be required to publish equality objectives every four years and publish information/data annually to demonstrate their compliance with the general Equality Duty.

The Act applies to everyone in Great Britain. DFID applies the general principles to our overseas offices and expects all staff to adopt these principles, but practice may vary from office to office to take account of local laws and custom.

Equal Opportunities Policy – Types of Unlawful Discrimination

What is unlawful discrimination?

The Equality Act 2010 defines the different types of discrimination that are unlawful:

Direct discrimination is when someone is treated less favourably than another person because of a protected characteristic. Direct Discrimination is not justifiable. Examples of direct discrimination would be refusing to recruit a woman because she is pregnant; or excluding one staff member from a team training event on account of their disability or race.

Occupational Requirement (previously known as genuine occupational requirement) - in limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and be a proportionate means of achieving a legitimate aim. Decisions are made on a case by case basis. For example, a Catholic religious college could reasonably refuse women admittance on a course for the Priesthood because all Catholic priests are male, whereas an Anglican religious college could not refuse women, because both men and women can be Anglican priests. Another example is an organisation that campaigns for LGBT legal rights may feel that their Chair should be lesbian, gay or bisexual.

Indirect discrimination is when you have a condition, rule, criterion, policy or practice that applies to everyone but particularly disadvantages people who share a protected characteristic and it cannot be shown to be a proportionate means of achieving a legitimate aim. An example of indirect discrimination would be a manager continually holding team meetings on a Monday, which is a day that a part-time member of the team does not work.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic. An example would be not promoting a staff member because they care for a parent who had a stroke. This is discrimination against the staff member because of their association with a disabled person.

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception by others that they have a particular protected characteristic. It applies even if the individual does not actually possess that protected characteristic. An example would be if colleague A harasses colleague B because they think colleague B has AIDS, even though they do not, in fact, have the illness. Colleague A has made assumptions and discriminated against colleague B, based on a perception.

Discrimination arising from disability is where an individual has been treated unfavourably because of something connected with their disability (so does not have to be the disability itself). An example would be disciplining a staff member for repeated spelling mistakes that are in fact caused by dyslexia, which amount to discrimination arising from disability. This type of discrimination is unlawful where the employer (or a line manager) knows, or could be reasonably expected to know, that the person has a disability.

Harassment is unwanted conduct related to one of the protected characteristics that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. It does not matter whether or not this effect was intended by the person responsible for the conduct. Employees can complain of behaviour that they find offensive even if it is not directed at them and the complainant does not need to possess any of the protected characteristics themselves.

Victimisation is when an employee is treated badly and subjected to detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint. An example would be if a disabled staff member raises a grievance that the line manager is not complying with the duty to make reasonable adjustments and is then systematically excluded from all meetings; such behaviour could amount to victimisation.

Reasonable Adjustments

The Equality Act also makes it unlawful to fail to make reasonable adjustments, as a result of a disability, to overcome barriers in employment or to using services. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical feature makes it impossible or unreasonably difficult for disabled people to make use of services. In addition,

employers and employees have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service, for example ensuring documents are available in alternative formats. For further information please contact the Health and Wellbeing team.