

THE

NATIONAL

ARCHIVES



Equality and Diversity

Contents

Introduction and key principles	3
Purpose and scope	3
Purpose.....	3
Scope	4
Other relevant policies	4
Accessibility	4
Monitoring and Review.....	4
Responsibilities.....	4
Raising a complaint.....	6
Appendix 1 – What is covered by the Equality Act 2010.....	7
Appendix 2 – Example types of discrimination.....	9

May 2011 First published
Aug 2017 Revised

Policy owned by Human Resources
This version agreed between The National Archives and Trade Unions on 18 August 2017.

Introduction and key principles

The National Archives is committed to

- Equality and diversity in all aspects of what we do. We believe it is a key part of maintaining and developing a successful organisation,
- Being an organisation which is inclusive and values difference by attracting, recruiting, developing and retaining talented people from all sections of the community to contribute at every level of the organisation,
- Ensuring that our services are relevant and accessible to all,
- Creating an environment and culture that treats everyone with dignity and respect,
- Complying with the Equality Act 2010 by providing equal opportunities in employment and avoiding unlawful discrimination in employment and customer service,
- Ensuring that all our employees understand their responsibility to promote Equality and Diversity and challenge inappropriate behaviour, and
- Tackling unlawful discrimination in all its forms.

This policy is intended to assist The National Archives in putting commitment into practice. Compliance with this policy will also ensure that employees do not commit unlawful acts of discrimination.

Purpose and scope

Purpose

The purpose of this policy is to ensure that anyone engaging with the work of The National Archives is not treated less favourably as a result of having “protected characteristics”.

It is unlawful to discriminate directly or indirectly in recruitment or employment because of a protected characteristic. The Equality Act 2010 covers the following protected characteristics:

- sex
- age
- disability
- gender reassignment
- pregnancy or maternity
- race (which includes colour, nationality and ethnic or national origins)
- sexual orientation
- religion or belief,
- marriage or civil partnership.

The National Archives aims to provide a working environment and culture which values and recognises difference, pro-actively tackles barriers to inclusion and ensures no individual or group is discriminated against.

We are committed to ensuring that we consider equality, diversity and inclusion issues in everything we do, including the development and implementation of organisational policies and strategic planning.

For more information about what is covered under the Equality Act 2010, please refer to the chart in Appendix 1. Refer to the chart in Appendix 2 for examples of discrimination.

Scope

This policy applies to all employees and third parties (e.g. partner organisations, sub-contractors and suppliers) and protects all employees, third parties and anyone engaging in the work of The National Archives from unlawful discrimination.

Other relevant policies

Our Bullying & Harassment Policy, Maternity Leave Policy, Maternity (Paternity) Support Policy, Flexible Working Policy, and Domestic Violence Policy may also be relevant.

Accessibility

If any aspect of this policy or procedure causes you difficulty because of any disability that you may have, or if you need assistance because English is not your first language, you should raise this issue with your HR contact, who will make appropriate arrangements.

Monitoring and Review

The policy will be reviewed regularly and agreed with the Trade Union Side to ensure that it meets the requirements of both the business and our diverse workforce.

Responsibilities

The Chief Executive Officer and the Executive Team are responsible for:

- Ensuring The National Archives meets all of its legal obligations
- Ensuring, with the assistance of Heads of Department and Managers, that strategies, processes and practices relating to this policy are successfully implemented, monitored and reviewed
- Being a high profile lead on issues related to the policy

Heads of Department and Managers are responsible for:

- Ensuring that strategies, processes and practices relating to this policy are successfully implemented
- Ensuring all employees are aware of their responsibilities and accountabilities under the policy
- Ensuring all employees attend appropriate training to enable successful implementation of the policy
- Ensuring that disciplinary action is taken against anyone who participates in discriminatory behaviour or practices
- Ensuring, where appropriate, external partners are aware of the policy
- Ensuring that they are not discriminating unfairly if involved in recruitment, selection, promotion and the management of staff
- Delivering effective services that meet the needs of The National Archives' diverse customers and clients

Human Resources and Organisational Development are responsible for:

- Providing appropriate training as part of induction to ensure that all employees understand their responsibilities in relation to equality, diversity and inclusion
- Ensuring that recruitment, learning and development and performance management are dealt with in accordance with the Equality & Diversity policy
- Assisting and advising managers to ensure that disciplinary action is taken against anyone who participates in discriminatory behaviour or practices in line with employment law and the appropriate policies and procedures
- Ensuring the policy is continually reviewed and all employees attend appropriate training as required to ensure successful implementation of the policy
- Monitoring and reporting on statistical and demographic information relating to equality and diversity of The National Archives' staff

All employees are responsible for:

- Ensuring their own compliance with this policy
- Fostering an environment where everyone (including but not limited to staff, visitors and commercial partners) can participate in the work of the organisation without fear or intimidation
- Not victimising any person who has complained, including complaints of unlawful harassment or discrimination, or who has given information in connection with a complaint
- Being pro-active in their approach to tackling discrimination in the workplace and to responding to situations appropriately, ensuring that the Equality & Diversity Policy are put into practice.

The Equality & Diversity Forum is responsible for:

- Promoting equality and diversity, adopting a 'champion' role
- As champions, encouraging respect and good relations between staff and modelling positive behaviours

- Acting as a conduit for feedback between staff in their areas and the Equality and Diversity Forum
- Providing a 'sounding board' for Equality and Diversity concerns where an employee feels unable to raise a concern to their line manager or to HR, and providing initial support.
- Attending training to stay abreast of Equality and Diversity issues and support them in their champion role.

Raising a complaint

Employees should raise a complaint to their Line Manager or HR Manager in the first instance. Should they feel unable to raise a concern in this way, employees can contact an Equality & Diversity champion or a Trade Union Representative. A list of Equality and Diversity champions can be found on Narnia.

Any complaint will be taken seriously and dealt with in a timely and sensitive manner, in accordance with the relevant grievance and disciplinary procedures. For further information on the process please refer to the Bullying and Harassment Policy.

For non-employees, such as visitors, clients and customers, stakeholders, partner organisations, sub-contractors and suppliers a complaint should be raised via the Comments, Compliments and Complaints page on The National Archives.

Appendix 1 – What is covered by the Equality Act 2010

	Protected Characteristic								
	Age	Disability	Gender	Gender Reassignment	Race	Religion or Belief	Sexual Orientation	Marriage & Civil Partnership	Pregnancy & Maternity
Direct Discrimination Someone is treated less favourably than another person because of a protected characteristic	✓	✓	✓	✓	✓	✓	✓	✓	✓
Associative Discrimination Direct discrimination against someone because they associate with another person who possess a protected characteristic	✓	✓	✓	✓	✓	✓	✓	✗	✗
Discrimination by perception Direct discrimination against someone because others think they possess a protected characteristic	✓	✓	✓	✓	✓	✓	✓	✗	✗
Indirect Discrimination When a rule or policy applies to everyone but disadvantages a particular protected characteristic	✓	✓	✓	✓	✓	✓	✓	✓	✗
Harassment* Someone can complain of behaviour they find offensive, even if it's not directed at them	✓	✓	✓	✓	✓	✓	✓	✗	✗
Harassment by a Third Party* Someone can complain of behaviour by a third party not employed by The National Archives	✓	✓	✓	✓	✓	✓	✓	✗	✗

	Protected Characteristic								
	Age	Disability	Gender	Gender Reassignment	Race	Religion or Belief	Sexual Orientation	Marriage & Civil Partnership	Pregnancy & Maternity
Victimisation* Someone is treated badly because they have made / supported a complaint or grievance under the Act	✓	✓	✓	✓	✓	✓	✓	✓	✓

* Covered under the Bullying and Harassment policy

Appendix 2 – Example types of discrimination

<p>Direct Discrimination Someone is treated less favourably than another person because of a protected characteristic</p>	<p>Manager A, a senior manager, turns down Employee B's application for promotion to a team leader position. Employee B, who is gay, learns that Manager A did this because he believed the team he applied to manage are homophobic. Manager A thought that Employee B's sexual orientation would prevent him from gaining the team's respect and managing them effectively. This is direct sexual orientation discrimination against Employee B.</p>
<p>Associative Discrimination Direct discrimination against someone because they associate with another person who possess a protected characteristic</p>	<p>Employee C is the partner of Employee D who is works at The National Archives. Employee C decides to undergo gender reassignment and Employee D's manager discovers this. As a result Employee D is now treated less favourably by her manager compared to other staff. This is discrimination because of association with a trans person.</p>
<p>Discrimination by perception Direct discrimination against someone because others think they possess a protected characteristic</p>	<p>Employee A is 45 and looks much younger. Many people assume she is in her mid-20s. She is not allowed to represent The National Archives at a conference as her Director thinks she looks too young, and would not be taken seriously. Employee A has been discriminated against on the perception of a protected characteristic.</p>
<p>Indirect Discrimination When a rule or policy applies to everyone but disadvantages a particular protected characteristic</p>	<p>The National Archives introduces a dress code for all staff who are customer-facing. The dress code requires women to wear a uniform skirt. Employee F, a Muslim worker refuses for religious reasons and is dismissed. This would be indirect discrimination, because a large number of Muslim women would not be able to comply with the rule.</p>
<p>Harassment Someone can complain of behaviour they find offensive, even if it's not directed at them</p>	<p>Employee G is disabled and is claiming harassment against his line manager after she frequently teased and humiliated him about his disability. Employee H shares an office with Employee G and he too is claiming harassment, even though he is not disabled, as the manager's behaviour has also created an offensive environment for him.</p>
<p>Harassment by a Third Party Someone can complain of behaviour by a third party not employed by The National Archives</p>	<p>Employee J works in the Reading Rooms and is approached by a reader who makes an inappropriate comment toward her. Employee J raises it with her line manager, Manager K who is concerned and monitors the situation. Within a few days the reader approaches Employee J again and makes further offensive remarks. Manager K reacts by speaking to the reader and pointing out that their behaviour is unacceptable. She follows this up with</p>

	a letter advising that she will ban him if it happens again. Manager K keeps Employee J in the picture with the actions she has taken and believes she has taken reasonable steps to protect Employee J from third party harassment.
Victimisation Someone is treated badly because they have made / supported a complaint or grievance under the Act	Employee K makes a formal complaint against her manager because she feels that she has been discriminated against because of her civil partnership. Although the complaint is resolved through the Grievance procedure, Employee K is then ostracised by her colleagues, including her manager. Employee K could claim victimisation.