



EQUALITY DIVERSITY & INCLUSION POLICY

1 Introduction

Homebaked CLT (HB CLT) recognises the right of all staff, volunteers, members, partners and the community in which we operate to fair and equal treatment, with decisions being made clearly and objectively and not influenced by gender, disability, age, culture, ethnic group, religion, or sexual orientation. This policy aims to protect that right and should be applied in all HB CLT dealings, be they relating to Board members, staff, volunteers, members, partners, contractors or the general community in which we operate. The policy will refer to all as the 'team' unless it specifically applies to a particular group, e.g. staff. This policy will comply with the legislation listed on page 6 or any updates to the listed legislation as it occurs.

2 Aims & Purpose of the Policy

The aims of this policy are to ensure that HB CLT:

- does not discriminate, either directly or indirectly on the grounds of gender, disability, age, culture, ethnic group, religion, or sexual orientation in any of its dealings.
- supports the principle that anyone we work with or works for us will be valued as individuals regardless of disablement, gender, age, culture, ethnic group, religion, or sexual orientation.
- services are available to all, promoting the principle that everyone's talents should be valued and in so doing maintain, enhance, and create new opportunities for our communities of interest.

The drive for equality and the value placed on diversity will only become meaningful through the behaviours, attitudes, and actions of all of the HB CLT team. This policy is intended to support the development of a positive culture in the organisation; a culture where equality and diversity are at the heart of all our activities.

Definitions:

Equality is about ensuring that every individual has an equal opportunity to make the most of their lives and talents. It is also the belief that no one should have poorer life chances because of the way they were born, where they come from, what they believe, or whether they have a disability.

Diversity is about recognising the value of difference.

Inclusion is about ensuring we get the best from everyone.

3 The Policy

This policy will:

- help the HB CLT team to understand the meaning of equality of opportunity and the ways in which different beliefs, cultures and lifestyles can enrich society

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- clarify the meaning of equality, diversity and inclusion
- give guidance on individual responsibilities to actively support the implementation of the policy

A) As an employer *(both paid staff and volunteers where applicable)*

HB CLT will:

- Have clear objectives for equal and appropriate treatment in employment
- Aim to employ a workforce that reflects the diverse communities for which the company has been established to serve
- Provide fair access to learning and development opportunities and encourage and support all staff to fulfil their potential
- Provide a safe and accessible working environment that values and respects the identity and culture of each individual and that is free from discrimination, harassment, and victimisation
- Communicate effectively with and involve staff, Directors and beneficiaries
- Provide fair and transparent pay and reward systems.

HB CLT will achieve these objectives by:

- Taking this policy into account in all our business processes
- Consulting with our communities of interest, ensuring attention is given to groups whose views may have been under-represented in the past
- Not tolerating inappropriate or offensive language or behaviour
- Treating victimisation, discrimination, and harassment as disciplinary offences
- Providing flexible employment practices that respond to the needs of all sections of our community
- Offering reasonable adjustment in recruitment processes. Providing additional support employees may need to ensure they are able to be successful do their role
- Providing learning and development opportunities so that staff are equipped with the appropriate awareness, knowledge, and skills to respond positively to a diverse range of commercial tasks
- Ensuring our services, employment opportunities and communication are physically, practically, and culturally accessible
- Monitoring the impact of this policy and taking appropriate action to address any discriminatory practice
- Implementing and monitoring recruitment and retention processes which are non-discriminatory, and which increase accessibility of employment opportunities from all groups in the community
- Implementing the staff disciplinary procedure when considered necessary.

B) Recruitment and Selection *(Both paid staff and volunteers)*

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Through appropriate training, HB CLT will endeavour to ensure that by complying with the following guidelines. HB CLT, when making selection and recruitment decisions will not discriminate in the making of those decisions:

- A consistent, non-discriminatory approach to the advertising of vacancies
- We will not confine recruitment to areas of media which provide only for, or mainly to, applicants of a particular group.
- All applicants who apply for jobs will receive fair treatment and will be considered solely on their ability to do the job.
- Offer Reasonable adjustments in interview and/or assessments
- No applicant will be disqualified because they are unable to complete an application form unassisted unless personal completion of the form is a valid test of the standards of English required for the safe and effective performance of the job.
- All employees involved in the recruitment process will periodically review their selection criteria to ensure that they are related to the job requirements and do not unlawfully discriminate.
- Job descriptions will be reviewed to ensure that they are in line with the equality, diversity and inclusion policy. Job requirements will be reflected accurately in any person specifications.
- Short listing and interviewing will be carried out by more than one person.
- Interview questions will be related to the requirements of the job and will not be of a discriminatory nature.
- Selection decisions will not be influenced by any perceived prejudices of other staff.
- Promotion and advancement will be made on merit and all decisions relating to this will be made within the overall framework and principles of this policy.
- Ensure that the policy is circulated to any agency responsible for recruitment and a copy of the policy will be made available to all applicants for employment
- HB CLT will maintain and review the employment records of all employees in order to monitor the aims related to recruitment, selection, and retention. The results of monitoring will be reviewed at regular intervals to assess the effectiveness of the implementation of this policy. If necessary, adjustment will be made to the policy to ensure that equal opportunities are afforded to all applicants and staff.
- Monitoring will involve:
 - The collection and classification of information regarding the age, gender, sexual orientation, ethnicity and disability of all current employees
 - The examination by age, gender, sexual orientation, ethnicity and disability of the distribution of employees and the success rate of the applicants
 - Recording recruitment, training and promotional records of all employees, the decisions reached and the reason for these decisions.

C) Members

HB CLT membership policy will reflect and comply with this policy. Members will be afforded the same protection and have the same expectations on them in terms of behaviour as set out in this policy.

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D) Partnership Working

As an organisation that engages widely in partnering with external organisations and agencies, HB CLT aims to encourage and promote equality of opportunities in all areas of shared work.

HB CLT will insist all partner organisations have and actively demonstrate an effective Equality, Diversity and Inclusion Policy. HB CLT adopts the following procedures and guidance in community business activities:

- The Chair of HB CLT will lead on equality, diversity and inclusion issues, making recommendations as necessary to the HB CLT team
- Any Project Manager will also act as a HB CLT EDI Manager - ensure effective and robust service delivery in line with HB CLT policy, procedure, and guidance
- Introduce Positive Action Training as required
- Provide and/or promote Equality, Diversity and Inclusion awareness training for staff, volunteers and Members of the Board
- Encourage increased levels of equitable participation and positive outcomes/outputs on the part of disadvantaged groups
- Ensure that tendering, funding mechanisms or other partnership working do not militate against, or further negate equality of opportunity for disadvantaged groups

E) Complaints

In the event that any member of the HB CLT team feels that they have suffered discrimination in any way, HB CLT's Grievance Procedure should be used. Any person not directly employed by HB CLT who wishes to make a complaint under this policy should do so by writing to the Board of Directors.

F) Communications & Messaging

Images and language can powerfully influence people's perceptions and attitudes. We are committed to ensuring that all our communications will promote images that reflect the full diversity of the communities within which we work. We recognise that language evolves over time and terms that were once acceptable and commonly used are now no longer appropriate.

HB CLT will ensure that digital communication (website, social media etc) considers equality, diversity and inclusion in its messaging as well as a tool for ensuring access to information.

Whenever possible, upon request, we will make this policy available in alternative formats (e.g., Braille/other languages/large type).

Risk

See HB CLT Risk register.

Related Policies & Procedures

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This policy should be reflected in all policies and procedures.

Related Legislation & Regulation

HB CLT complies with all anti-discriminatory legislation as set out in Appendix 1, including:

- Equality Act 2010 – covering the following protected characteristics:
 - ☐ age
 - ☐ disability
 - ☐ gender reassignment
 - ☐ marriage and civil partnership
 - ☐ pregnancy and maternity
 - ☐ race
 - ☐ religion or belief
 - ☐ sex
 - ☐ sexual orientation
- Sex Discrimination Act 1975 (updated 1986)
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Equal Pay Act 1970; Race Relations Act 1976
- Race Relations (Amendment) Act 2000
- Disability Discrimination Act 1995
- Special Educational Needs and Disability Act 2001;
- Human Rights Act 1998
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- The Protection from Harassment Act 1997
- European Regulations and Directives
- Recognised Codes of Practice

[Note: Equality Act 2010 essentially replaces many of the anti-discrimination Acts that came before]
<https://www.gov.uk/guidance/equality-act-2010-guidance>

Responsibilities

The Board have the responsibility to ensure that recognition of equality, diversity and inclusion remains part of the organisation’s culture. They should:

- take positive and timely action to address any inequality or discriminatory practice
- promote equality of opportunity for staff and residents
- recognise, value, and utilise the diversity of culture and experience within their day-to-day work
- treat all staff fairly, with respect and dignity
- ensure the policy is communicated to all private contractors reminding them of their responsibilities towards equality of opportunity

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All people working for or representing HB CLT have personal responsibility to ensure that they and any member of their team understands how discrimination occurs and how to prevent it. Equality and the valuing of diversity is the responsibility of each and every employee. All employees and those contracted to work for HB CLT are personally responsible for observing this policy in their own day-to-day working practice, behaviour, and language and will receive training with regard to the contents of the policy.

Where this policy includes references to staff and HB CLT has no staff, these roles will be undertaken by the Chair, Treasurer Secretary or another Director either jointly or alone. Alternatively, the Board may set up a panel or working group to deliver the role.

Where roles are delivered by a Managing Agent, the board will monitor contract delivery of HB CLT services, whilst HB CLT builds up skills to take on these functions.

Data Protection

HB CLT will ensure that any personal monitoring information collected is kept confidential and only shared with relevant employees. It will be explained to any individual providing information exactly who the information will be shared with and for what purpose. Where HB CLT is required to share personal data beyond employees, for example where required to by law, it will do so in line with the HB CLT Data Protection Procedures.

Review

This policy will be reviewed every 3 years, or sooner if the Board feel the need to revise any aspect due to operational or strategic needs.

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APPENDIX 1

Race Equality

We acknowledge the definition of ‘institutional racism’ as expressed in the Report of the Stephen Lawrence Inquiry:

“Institutional racism consists of the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantages minority ethnic people”.

HB CLT is committed to eliminating racism in any form, either direct or indirect, in all areas of its work, including its employment practices.

We recognise that minority ethnic people and communities are not homogenous. Different communities and individuals within these communities have differing needs. Needs should not be defined by stereotyping or presumptions. For example, travellers and/or gypsies and Irish people are included under the Race Relations Act 1976 and the Amendment Act 2000.

Race equality can be defined as:

- Emphasising the value of equality for all
- Recognising the positive aspects of cultural diversity
- Recognising that minority ethnic people in Britain have poorer life chances than white people
- Recognising that the systematic disadvantage of minority ethnic people operates through institutional procedures, policies and practices and may be intentional
- Recognising that there is an unequal distribution of power, opportunities and resources in favour of white people
- Emphasising the need to tackle day-to-day behaviour at work rather than personal attitudes alone
- Being supported by training which identifies and works to eliminate direct or indirect discrimination at work

HB CLT will not discriminate against you because of your race. In the Equality Act, race can mean your colour, or your nationality (including your citizenship). It can also mean your ethnic or national origins, which may not be the same as your current nationality. For example, you may have Chinese national origins and be living in Britain with a British passport.

Race also covers ethnic and racial groups. This means a group of people who all share the same protected characteristic of ethnicity or race.

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A racial group can be made up of two or more distinct racial groups, for example black Britons, British Asians, British Sikhs, British Jews, Romany Gypsies, and Irish Travellers. You may be discriminated against because of one or more aspects of your race, for example people born in Britain to Jamaican parents could be discriminated against because they are British citizens, or because of their Jamaican national origins.

There are four main types of race discrimination:

[Direct discrimination](#)

This happens when someone treats you worse than another person in a similar situation because of your race. For example:

if a letting agency would not let a flat to you because of your race, this would be direct race discrimination

[Indirect discrimination](#)

This happens when an organisation has a particular policy or way of working that puts people of your racial group at a disadvantage. For example:

a hairdresser refuses to employ stylists that cover their own hair, this would put any Muslim women or Sikh men who cover their hair at a disadvantage when applying for a position as a stylist

Sometimes indirect race discrimination can be permitted if the organisation or employer is able to show to show that there is a good reason for the discrimination. This is known as objective justification. For example:

a Somalian asylum seeker tries to open a bank account but the bank states that in order to be eligible you need to have been resident in the UK for 12 months and have a permanent address. The Somalian man is not able to open a bank account. The bank would need to prove that its policy was necessary for business reasons (such as to prevent fraud) and that there was no practical alternative

[Harassment](#)

Harassment occurs when someone makes you feel humiliated, offended, or degraded. For example:

a young British Asian man at work keeps being called a racist name by colleagues. His colleagues say it is just banter, but the employee is insulted and offended by it

Harassment can never be justified. However, if an organisation or employer can show it did everything it could to prevent people who work for it from behaving like that, you will not be able to make a claim for harassment against it, although you could make a claim against the harasser.

[Victimisation](#)

This is when you are treated badly because you have made a complaint of race related discrimination under the Equality Act. It can also occur if you are supporting someone who has made a complaint of race related discrimination. For example:

the young man in the example above wants to make a formal complaint about his treatment. His manager threatens to sack him unless he drops the complaint

Cultural and Religious Needs

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Minority groups can be subjected to discrimination and there are many ways in which people can be harassed and discriminated against because of their religion. A process of stereotyping and prejudice has been used to justify harassment and discrimination against some people because they share the same faith as those involved in conflict in other parts of the world. Religious beliefs are commonly very deeply held and ignorance of these beliefs and associated customs can lead to offence.

The Commission for Racial Equality (Code of Practice in Employment) recommends that *“where employees have particular cultural and religious needs which conflict with existing work requirements, it is recommended that employers should consider whether it is reasonably practicable to vary or adapt these requirements to enable such needs to be met.”*

We will strive to ensure that we respect and enable people to practice their beliefs.

HB CLT will not discriminate against you because:

- you are (or are not) of a particular religion
- you hold (or do not hold) a particular philosophical belief
- someone thinks you are of a particular religion or hold a particular belief (this is known as discrimination by perception)
- you are connected to someone who has a religion or belief (this is known as discrimination by association)

In the Equality Act religion or belief can mean any religion, for example an organised religion like Christianity, Judaism, Islam or Buddhism, or a smaller religion like Rastafarianism or Paganism, as long as it has a clear structure and belief system. The Equality Act also covers non-belief or a lack of religion or belief. For example:

the Equality Act protects Christians if they are discriminated against because of their Christian beliefs, it also protects people of other religions and those with no religion if they are discriminated against because of their beliefs

The Equality Act says that a philosophical belief must be genuinely held and more than an opinion. It must be cogent, serious and apply to an important aspect of human life or behaviour. For example:

an employee believes strongly in man-made climate change and feels that they have a duty to live their life in a way which limits their impact on the earth to help save it for future generations: this would be classed as a belief and protected under the Equality Act

The Equality Act also says that a belief must also be worthy of respect in a democratic society and not affect other people’s fundamental rights. For example:

an employee believes that white people are a superior race to others and tells their colleagues so: this would not be classed as a belief protected under the Equality Act

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There are four main types of religion or belief discrimination:

[Direct discrimination](#)

This happens when someone treats you worse than another person in a similar situation because of your religion or belief. For example:

a bank refuses you a loan because you're Jewish

Discrimination can occur even where both the discriminator and the person being discriminated against hold the same religious or philosophical belief. For example:

a Hindu businessman interviews two women for a job as his personal assistant. One is Hindu and the other is not religious. The Hindu woman is the best candidate at interview, but he gives the job to the other woman because he thinks his clients (who are mainly Christian or have no religion or belief) will prefer it. This is direct discrimination because of religion or belief

[Indirect discrimination](#)

Indirect discrimination happens when an organisation has a particular policy or way of working that applies to everyone, but which puts you at a disadvantage because of your religion or belief. For example:

you are Jewish and you finish early on Fridays in order to observe the Sabbath. Your manager has changed the weekly team meetings from Wednesday afternoons to Friday afternoons and you are therefore often absent

Indirect religion or belief discrimination can be permitted but the organisation or employer must be able to show that the policy or way of working is necessary for the way the business operates. This is known as objective justification.

Workplace dress code or uniform policies

Everyone has a human right to manifest their religion or belief under the European Convention on Human Rights. That means you have the right to wear particular articles of clothing or symbols to show that you have a particular religion or belief at your workplace, even if other people of your religion don't. For example:

some people wear a crucifix to show they are Christians, but not all Christians do

However, because that human right is a qualified right an employer can prevent you from wearing particular articles of clothing or symbols if it is necessary for the role you are doing. For example:

a Sikh man works in food preparation. His employer has a policy that no headgear can be worn, and staff must use hair nets. This would not be justified if there was a practical alternative that met the business's health and safety requirements, such as wearing a new or freshly washed turban for each shift

[Harassment](#)

Harassment in the workplace occurs when someone makes you feel humiliated, offended, or degraded. Harassment can never be justified. However, if an organisation or employer can show it did everything it could to prevent people who work for it from behaving like that, you will not be able to make a claim for harassment against it, although you could make a claim against the harasser.

The rules about Harassment don't apply outside the workplace. However, if you are harassed or receive offensive treatment because of religion or belief outside the workplace this may be direct discrimination.

For example:

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a Muslim man visits his local takeaway regularly. Every time he goes in, one of the staff makes comments about him being a terrorist. He finds this offensive and upsetting

Victimisation

This is when you are treated badly because you have made a complaint of religion or belief related discrimination under the Equality Act. It can also occur if you are supporting someone who has made a complaint of religion or belief related discrimination. For example:

a woman at work has been harassed by a supervisor because she wears a hijab. Her co-worker saw this happen and is supporting her harassment claim. The co-worker is threatened with the sack. This would be victimisation because the co-worker is supporting her colleague's claim of harassment

Gender Equality Policy Statement

Sex Discrimination

We recognise that many women continue to face discrimination in employment and that it is predominately women who are likely to experience sexual harassment.

The *Sex Discrimination Act 1973/1986* makes it unlawful to discriminate in employment and in the provision of goods, facilities, or services either by refusing them or by providing them on less favourable terms to one sex or the other.

We acknowledge that women are usually the primary carers of children and dependent relatives and, where possible, will introduce certain measures such as flexible working policies to support those with such responsibilities. Equally, men should also be supported in the same way where they have primary care responsibilities.

HB CLT will not discriminate against you because:

- not) a particular sex
- someone thinks you are the opposite sex (this is known as discrimination by perception)
- you are connected to someone of a particular sex (this is known as discrimination by association)

In the Equality Act, sex can mean either male or female, or a group of people like men or boys, or women or girls.

There are four main types of sex discrimination:

Direct discrimination

This happens when, because of your sex, someone treats you worse than someone of the opposite sex who is in a similar situation. For example:

a nightclub offers free entry to women but charges men to get in

Indirect discrimination

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Indirect discrimination happens when an organisation has a particular policy or way of working that applies in the same way to both sexes, but which puts you at a disadvantage because of your sex. For example:

An employer decides to change shift patterns for staff so that they finish at 5pm instead of 3pm. Female employees with caring responsibilities could be at a disadvantage if the new shift pattern means they cannot collect their children from school or childcare.

Indirect sex discrimination can be permitted if the organisation or employer is able to show that there is a good reason for the policy. This is known as objective justification.

Harassment

There are three types of harassment relating to sex.

The first type of harassment is the same for all of the protected characteristics. It is when someone makes you feel humiliated, offended, or degraded. For example:

A manager makes comments that there is no point promoting women because they go off to have children. Even though he doesn't direct these comments at a particular female employee, one of his staff is very upset by this and worries about her career. This could be considered harassment.

The second type of harassment is sexual harassment. This is when someone makes you feel humiliated, offended, or degraded because they treat you in a sexual way. This is known as 'unwanted conduct of a sexual nature' and covers verbal and physical treatment, like sexual comments or jokes, touching, or assault. It also covers sending emails of a sexual nature or putting up pornographic pictures. For example:

A university lecturer makes sexual jokes to one of his female students and implies that she will pass her exams if she sleeps with him.

The third type of harassment is when someone treats you unfairly because you refused to put up with sexual harassment. For example:

A manager invites one of his female employees home after they have been out for a drink. She declines. A couple of weeks later she is turned down for a promotion. She believes this is because she turned down her boss's proposition.

It can also cover unfair treatment even if you had previously accepted sexual conduct. For example:

The employee above did have a brief relationship with her boss. After it ended, she applied for a promotion but was turned down. She believes this is because the relationship with her manager had ended.

Harassment can never be justified. However, if an organisation or employer can show it did everything it could to prevent people who work for it from behaving like that, you will not be able to make a claim for harassment against it, although you could make a claim against the harasser.

Victimisation This is when you are treated badly because you have made a complaint of sex related discrimination under the Equality Act. It can also occur if you are supporting someone who has made a complaint of sex discrimination. For example:

A male colleague is helping a female co-worker with their claim of sex discrimination and makes a statement at an Employment Tribunal. The male colleague is then sacked or treated badly by their employer. This is victimisation because of sex.

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Marriage & Civil Partnership Discrimination

HB CLT will not discriminate against you because you are married or in a civil partnership.

In the Equality Act marriage and civil partnership means someone who is legally married or in a civil partnership. Marriage can either be between a man and a woman, or between partners of the same sex. Civil partnership is between partners of the same sex.

People do not have this characteristic if they are:

- single
- living with someone as a couple neither married nor civil partners
- engaged to be married but not married
- divorced or a person whose civil partnership has been dissolved

There are three types of marriage and civil partnership discrimination.

Direct discrimination

This happens when you are treated worse than other workers in your workplace because you are married or in a civil partnership. For example:

a woman works night shifts in a distribution warehouse but is dismissed when she gets married because her employer thinks a married woman should be at home in the evening

Indirect discrimination

Indirect discrimination happens when an employer has a policy or way of working that puts people who are married or in a civil partnership at a disadvantage. Such a policy is only permitted if your employer is able to show that there is a good reason for it and if the implementation of the policy is appropriate and necessary. This is known as objective justification.

Victimisation

This is when you are treated badly because you have made a complaint of marriage or civil partnership related discrimination. It can also occur if you are supporting someone who has made a complaint of marriage or civil partnership related discrimination.

Sexual Orientation

We recognise that lesbians, gay men, transgenders, and bisexuals can face discrimination and harassment in employment and in society generally. This can range from inequalities in the extension of workplace benefits to partners through to physical and verbal abuse.

We recognise that everyone has a right to define their own sexual identify and will not tolerate discrimination on grounds of sexual orientation.

HB CLT will not discriminate against you because:

- you are heterosexual, gay, lesbian, or bisexual
- someone thinks you have a particular sexual orientation (this is known as discrimination by perception)

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- you are connected to someone who has a particular sexual orientation (this is known as discrimination by association)

In the Equality Act, sexual orientation includes how you choose to express your sexual orientation, such as through your appearance or the places you visit.

There are four main types of sexual orientation discrimination:

Direct discrimination

This happens when someone treats you worse than another person in a similar situation because of your sexual orientation. For example:

at a job interview, a woman makes a reference to her girlfriend. The employer decides not to offer her the job, even though she is the best candidate they have interviewed

a hotel owner refuses to provide a double bedroom to two men

Indirect discrimination

Indirect discrimination happens when an organisation has a particular policy or way of working that applies to everyone, but which puts people of your sexual orientation at a disadvantage.

Indirect discrimination can be permitted if the organisation or employer is able to show that there is a good reason for the policy. This is known as objective justification.

Harassment

Harassment in the workplace occurs when someone makes you feel humiliated, offended, or degraded. For example:

colleagues keep greeting a male worker by the feminine version of his name although he has asked them to use his proper name. The colleagues say this is just banter, but the worker is upset and offended by it

Harassment can never be justified. However, if an organisation or employer can show it did everything it could to prevent people who work for it from behaving like that, you will not be able to make a claim for harassment against it, although you could make a claim against the harasser.

Outside the workplace, if you are harassed or receive offensive treatment because of your sexual orientation, this may be direct discrimination.

Victimisation

This is when you are treated badly because you have made a complaint of sexual orientation related discrimination under the Equality Act. It can also occur if you are supporting someone who has made a complaint of sexual orientation related discrimination under the Equality Act. For example:

a gay worker complains that he has been 'outed' by his manager against his wishes and his employer sacks him

Gender Reassignment Discrimination

HB CLT will not discriminate against you because you are transsexual, when your gender identity is different from the sex assigned to you when you were born. For example:

a person who was born female decides to spend the rest of his life as a man

In the Equality Act it is known as gender reassignment. All transsexual people share the common characteristic of gender reassignment. To be protected from gender reassignment discrimination, you do not need to have undergone any specific treatment or surgery to change from your birth sex to your

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preferred gender. This is because changing your physiological or other gender attributes is a personal process rather than a medical one. You can be at any stage in the transition process – from proposing to reassign your gender, to undergoing a process to reassign your gender, or having completed it.

The Equality Act says that you must not be discriminated against because:

- of your gender reassignment as a transsexual. You may prefer the description transgender person or trans male or female. A wide range of people are included in the terms ‘trans’ or ‘transgender’ but you are not protected as transgender unless you propose to change your gender or have done so. For example, a group of men on a stag do who put on fancy dress as women are turned away from a restaurant. They are not transsexual so not protected from discrimination
- someone thinks you are transsexual, for example because you occasionally cross-dress or are gender variant (this is known as discrimination by perception)
- you are connected to a transsexual person, or someone wrongly thought to be transsexual (this is known as discrimination by association)

Intersex people (the term used to describe a variety of conditions in which a person is born with a reproductive or sexual anatomy that doesn't fit the typical definitions of female or male) are not explicitly protected from discrimination by the Equality Act, but you must not be discriminated against because of your gender or perceived gender. For example:

if a woman with an intersex condition is refused entry to a women-only swimming pool because the attendants think her to be a man, this could be sex discrimination or disability discrimination

There are four types of gender reassignment discrimination.

Direct discrimination

This happens when someone treats you worse than another person in a similar situation because you are transsexual. For example:

you inform employer that you intend to spend the rest of your life living as a different gender. Your employer transfers you off your role against your wishes because they don't want you to have client contact

Absences from work

If you are absent from work because of gender reassignment, your employer cannot treat you worse than you would be treated if you were off:

- due to an illness or injury. *For example, your employer cannot pay you less than you would have received if you were off sick*
- due to some other reason. However, in this case it is only discrimination if your employer is acting unreasonably. *For example, if your employer would agree to a request for time off for someone to attend their child's graduation ceremony, then it may be unreasonable to refuse you time off for part of a gender reassignment process. This would include, for example, time off for counselling*

Indirect discrimination

Indirect discrimination happens when an organisation has a particular policy or way of working that puts transsexual people at a disadvantage.

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Sometimes indirect gender assignment discrimination can be permitted if the organisation or employer is able to show that there is a good reason for the discrimination. This is known as objective justification. For example:

a local health authority decides that it will not fund breast implants. As a result, the health authority refuses to provide this treatment for a woman undergoing gender reassignment even though she considers it essential to make her look more feminine. The same policy is applied to all women but puts transsexuals at a greater disadvantage. The health authority may be able to justify its policy if it can prove that it has legitimate reasons

Harassment

Harassment is when someone makes you feel humiliated, offended, or degraded because you are transsexual. For example:

a transsexual woman is having a drink in a pub with friends, the landlord keeps calling her 'Sir' and 'he' when serving drinks, despite her complaining about it

Harassment can never be justified. However, if an organisation or employer can show it did everything it could to prevent people who work for it from behaving like that, you will not be able to make a claim for harassment against it, although you could make a claim against the harasser.

Victimisation

This is when you are treated badly because you have made a complaint of gender reassignment related discrimination under the Equality Act. It can also occur if you are supporting someone who has made a complaint of gender reassignment related discrimination. For example:

A transsexual is being harassed by a colleague at work, he makes a complaint about the way his colleague is treating him and is sacked.

Disability Policy Statement

All employees deserve opportunities, encouragement and support to realise their full potential. A diversity of cognitive approaches is a source of great strength and value within a genuinely inclusive workplace. 15% of the population identify as Neurodiverse so HB CLT want to ensure any adjustments needs are considered for people that identify as this.

All reasonable steps will be taken to ensure that policies, practices and culture do not discriminate against neurodivergent people and employees must not be subject to unfavourable treatment if they choose to disclose a neurodivergent condition. Each employee is unique. Consequently, any support needs must be identified and implemented on the basis of personal evaluation and individual consultation – not assumptions or stereotypes.

We recognise that people with hidden or visible disabilities have historically faced discrimination because of their impairment and/or experiences of mental/emotional distress. This is experienced in all areas of people's lives and specifically when trying to access employment, education, and training opportunities.

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We recognise that people with disabilities are not a homogenous group of people and can face multiple layers of discrimination, e.g., the discrimination faced by a homosexual disabled man.

We also recognise there are disabilities which impair participation in some activities. Such conditions may be obvious, for instance if they affect sight or mobility. Some conditions however are not immediately apparent such as mental disorder or impaired hearing. People with disabilities should not be considered to be disabled all the time but only in circumstances where their particular impaired function is relevant.

HB CLT will not discriminate against you because:

- you have a disability
- someone thinks you have a disability (this is known as discrimination by perception)
- you are connected to someone with a disability (this is known as discrimination by association)

It is not unlawful discrimination to treat a disabled person more favourably than a non-disabled person.

In the [Equality Act](#) a disability means a physical or a mental condition which has a substantial and long-term impact on your ability to do normal day to day activities.

You are covered by the Equality Act if you have a progressive condition like HIV, cancer, or multiple sclerosis, even if you are currently able to carry out normal day to day activities. You are protected as soon as you are diagnosed with a progressive condition.

You are also covered by the Equality Act if you had a disability in the past. For example, if you had a mental health condition in the past which lasted for over 12 months, but you have now recovered, you are still protected from discrimination because of that disability.

There are six main types of disability discrimination which HB CLT acknowledges as part of this policy:

[Direct discrimination](#)

This happens when someone treats you worse than another person in a similar situation because of disability. For example:

during an interview, a job applicant tells the potential employer that he has multiple sclerosis. The employer decides not to appoint him even though he's the best candidate they have interviewed, because they assume he will need a lot of time off sick

[Indirect discrimination](#)

Indirect discrimination happens when an organisation has a particular policy or way of working that has a worse impact on disabled people compared to people who are not disabled. Indirect disability discrimination is unlawful unless the organisation or employer is able to show that there is a good reason for the policy, and it is proportionate. This is known as objective justification. For example:

a job advert states that all applicants must have a driving licence. This puts some disabled people at a disadvantage because they may not have a licence because, for example, they have epilepsy. If the advert is for a bus driver job, the requirement will be justified. If it is for a teacher to work across two HB CLTools, it will be more difficult to justify

[Failure to make reasonable adjustments](#)

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Under the Equality Act, employers and organisations have a responsibility to make sure that disabled people can access jobs, education, and services as easily as non-disabled people. This is known as the ‘duty to make reasonable adjustments. Disabled people can experience discrimination if the employer or organisation doesn’t make a reasonable adjustment. This is known as a ‘failure to make reasonable adjustments. For example:

an employee with mobility impairment needs a parking space close to the office. However, her employer only gives parking spaces to senior managers and refuses to give her a designated parking space

What is reasonable depends on a number of factors, including the resources available to the organisation making the adjustment. If an organisation already has a number of parking spaces, it would be reasonable for it to designate one close to the entrance for the employee.

Discrimination arising from disability

The Equality Act also protects people from discrimination arising from disability. This protects you from being treated badly because of something connected to your disability, such as having an assistance dog or needing time off for medical appointments. This does not apply unless the person who discriminated against you knew you had a disability or ought to have known. For example:

an employee with cancer is prevented from receiving a bonus because of time she has taken off to receive treatment

Discrimination arising from disability is unlawful unless the organisation or employer is able to show that there is a good reason for the treatment, and it is proportionate. This is known as objective justification. For example:

an employee whose eyesight has seriously deteriorated cannot do as much work as his non-disabled colleagues. If his employer sought to dismiss him, after ruling out the possibility of redeployment, the employer would need to show that this was for good reason and was proportionate

Harassment

Harassment occurs when someone treats you in a way that makes you feel humiliated, offended, or degraded. for example:

a disabled woman is regularly sworn at and called names by colleagues at work because of her disability

Harassment can never be justified. However, if an organisation or employer can show it did everything it could to prevent people who work for it from behaving like that, you will not be able to make a claim for harassment against it, although you could make a claim against the harasser.

Victimisation

This is when you are treated badly because you have made a complaint of discrimination under the Equality Act. It can also occur if you are supporting someone who has made a complaint of discrimination. For example:

an employee has made a complaint of disability discrimination. The employer threatens to sack them unless they withdraw the complaint

an employer threatens to sack a member of staff because he thinks she intends to support a colleague’s disability discrimination claim

Age Discrimination

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We recognise that people often experience discrimination and barriers to employment on grounds of their age. We also wish to recognise the skills and experience that older people bring to the organisation. We wish to promote an age diverse workforce and create a culture that values the contribution of all age groups.

As a responsible employer we will ensure that age will not be a determining factor in our selection process or in any other employment practice. Where employees reach the age of 65 and wish to continue working, HB CLT will support this where appropriate. We will ensure that employees have access to training and development opportunities regardless of age.

HB CLT will not discriminate against you if:

- you are (or are not) a certain age or in a certain age group
- someone thinks you are (or are not) a specific age or age group, this is known as discrimination by perception
- you are connected to someone of a specific age or age group, this is known as discrimination by association

Age groups can be quite wide (for example, 'people under 50' or 'under 18s'). They can also be quite specific (for example, 'people in their mid-40s'). Terms such as 'young person' and 'youthful' or 'elderly' and 'pensioner' can also indicate an age group.

There are four main types of age discrimination which SAFE acknowledges as part of this policy:

[Direct discrimination](#)

This happens when someone treats you worse than another person in a similar situation because of your age. For example:

your employer refuses to allow you to do a training course because she thinks you are 'too old' but allows younger colleagues to do the training.

Direct age discrimination is permitted provided that the organisation or employer can show that there is a good reason for the discrimination. This is known as objective justification. For example:

you are 17 and apply for a job on a construction site. The building company refuses to employ under-18s on that site because accident statistics show that it can be dangerous for them. The company's treatment of you is probably justified

[Indirect discrimination](#)

Indirect discrimination happens when an organisation has a particular policy or way of working that applies to everyone but which puts people of your age group at a disadvantage. For example:

you are 22 and you find you are not eligible to be promoted because your employer has a policy that only workers with a post graduate qualification (such as a Masters) can be promoted. Although this applies to everyone it disadvantages people of your age because they are less likely to have that qualification

Like direct age discrimination, indirect age discrimination can be permitted if the organisation or employer is able to show that there is a good reason for the policy. This is known as objective justification.

[Harassment](#)

Harassment occurs when someone makes you feel humiliated, offended or degraded. For example:

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during a training session at work, the trainer keeps commenting how slow an older employee is at learning how to use a new software package because of his age. The employee finds this distressing. This could be considered harassment related to age.

Harassment can never be justified. However, if an organisation or employer can show it did everything it could to prevent people who work for it from behaving like that, you will not be able to make a claim for harassment against it, although you could make a claim against the harasser.

Victimisation

This is when you are treated badly because you have made a complaint of age discrimination under the Equality Act. It can also occur if you are supporting someone who has made a complaint of age discrimination. For example:

your colleague complains of being called a 'wrinkly' at work. You help them complain to your manager. Your manager treats you badly as a result of getting involved.

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Appendix 2 - Monitoring Form content

Homebaked Monitoring Form (Vols, Members etc)

1 What Gender do you identify as?

- Woman
- Man
- Nonbinary
- Prefer not to say
- Other

2 What is your sexual orientation?

- Heterosexual
- Bisexual
- Gay woman / Lesbian
- Gay man
- Prefer not to say
- Other

3 What is your age?

- Under 16
- 16-17
- 18-21
- 22-34
- 35 – 44
- 45-54
- 55- 64
- 65-74
- 75 or older
- Prefer not to say

4 Ethnicity [Ethnic origin is not about nationality, place of birth or citizenship. It is about the group to which you perceive you belong.]

- Arab
- Asian/Asian British: Bangladeshi
- Asian/Asian British: Chinese
- Asian/Asian British: Indian
- Asian/Asian British: Pakistani

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- Other Asian/ Asian British background
- Black/Black British: African
- Black/Black British: Caribbean
- Other Black/Black British background
- Mixed or multiple ethnic backgrounds: White & Asian
- Mixed or multiple ethnic backgrounds: White & Black African
- Mixed or multiple ethnic backgrounds: White & Black Caribbean
- Other mixed or multiple ethnic background
- White British, English, Scottish, Welsh, Northern Irish
- White gypsy/Roma/Irish traveller
- White Irish
- Other white background
- Prefer not to say
- Other

5 Do you consider yourself to have a disability or long term health condition?

- Yes
- No
- Prefer not to say

6 Do you have any caring responsibilities?

- Yes
- No
- Prefer not to say

7 What is your current occupation?

8 What was the occupation of the highest earner in your household when you were 14 years old?

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