

The National Archives

Equality & Diversity Policy

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This policy was agreed with the Trade Union Side on 5 May 2011.
It will be reviewed at the request of either party.

1 Introduction

1.1 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 ensuring that our services are relevant and accessible to all
- Attracting, recruiting, developing and retaining talented people from all sections of the community to contribute at every level of the organisation
- Creating an environment that upholds the right of everyone to be treated with dignity and respect
- Providing equal opportunities in employment and to avoiding unlawful discrimination in employment and customer service
- Our Equality & Diversity Strategy: our single equality scheme to tackle discrimination and to celebrate diversity
- Ensuring all our employees have a responsibility to be proactive in promoting Equality and Diversity and tackling unlawful discrimination

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

2 Purpose and Scope

2.1 Purpose

- 2.1.1 It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, gender, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics". The purpose of this policy is to ensure that anyone engaging with the work of The National Archives will not be treated less favourably as a result of having "protected characteristics".
- 2.1.2 The National Archives aims to provide a working environment and culture which values and recognises difference and to pro-actively tackle barriers to discrimination to ensure no individual or group is discriminated against.
- 2.1.3 Our aim is to ensure that equality is reflected in all the organisations policies, practices and strategic planning.
- 2.1.4 For more information about what we are complying with in the Equality Act 2010 please refer to the attached chart in Appendix 1. Refer to the attached chart in Appendix 2 for examples of discrimination.

2.2 Scope

- 2.2.1 This policy applies to all employees, and third parties (e.g. visitors, customers, stakeholders, partner organisations, sub-contractors and suppliers).

- 2.2.2 The National Archives will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by it.
- 2.2.3 Employees should report any bullying or harassment by customers, suppliers, visitors or others to their Line Manager or their HR Manager who will take appropriate action.

Please refer to the Bullying and Harassment Policy for more information.

2.3 Other relevant policies

Our Bullying & Harassment Policy, Maternity Leave Policy, Maternity Leave (Paternity) Support Policy, Flexible Working Hours Policy, and Domestic Violence Policy may also be relevant. For example The National Archives strives to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect, we therefore have a separate Bullying & Harassment Policy, which deals with these issues.

3 Accessibility

- 3.1 If any aspect of this policy or procedure causes you difficulty on account 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.

4 Main principles

4.1 Equality & Diversity Strategy and Action Plan

The National Archives has developed a two year Equality & Diversity Strategy to run from April 2010 to April 2012. The strategy has 4 key themes:

- Encouraging **behaviour and culture change** to make the National Archives more accessible
- Promoting **strong leadership** throughout the organisation, with clear **accountability** for equality and diversity
- **Attracting, retaining and developing talent** from all areas of society, with a focus on hard-to-reach communities
- Being more **representative of the wider society** we serve

Arising from this The National Archives has implemented an Equality & Diversity Action Plan. The plan is owned and monitored by the Equality & Diversity Working Group.

Appropriate training and support for employees will be provided to ensure the successful implementation of the Action Plan and Policy.

4.2 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 the diverse workforce who work at The National Archives.

The Action Plan is reviewed quarterly as part of the Equality & Diversity Working Group remit. It is a 'live' document which grows and changes to ensure the organisation continues to deliver its strategy and meet its policy standards.

4.3 Responsibilities

4.3.1 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 the action plan, strategies, processes and practices relating to this policy are successfully implemented, monitored and reviewed
- Ensuring the policy is continually reviewed and all employees attend appropriate training to ensure successful implementation of the policy
- Being a high profile lead on issues related to the policy
- Ensuring all employees are aware of their responsibilities and accountabilities under the policy
- Ensuring that disciplinary action is taken against anyone who participates in discriminatory behaviour or practices

Heads of Department and Managers are responsible for:

- The implementation of the policy, the related action plan, strategies, practices and processes
- 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 meeting the needs of The National Archives' diverse customers and clients

Human Resources are responsible for:

- Ensuring that recruitment, learning and development and performance management are dealt with in accordance with the Equality & Diversity policy
- Providing appropriate training to enable successful implementation of the policy
- Ensuring that disciplinary action is taken against anyone who participates in discriminatory behaviour or practices

Employees are responsible for:

- Fostering an environment where compliance with the policy is integral to their work
- Fostering an environment where an individual's goals can be pursued 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 respond to situations appropriately, ensuring that the Equality & Diversity Policy are put into practice.

The Equality & Diversity Working Group is responsible for:

- Developing and monitoring the Action Plan
- Promoting and delivering equality and diversity
- Working to ensure that the principles are put into practice and that actions are progressing.

5 Raising a Complaint

- 5.1 Employees should raise a complaint to their Line Manager or HR Manager in the first instance. Should this not be appropriate then contact the Equality & Diversity Champion or Equality & Diversity Co-ordinator, (details can be found in the Equality & Diversity Strategy).
- 5.1.1 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.
- 5.1.2 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 website.

Equality Act 2010 What is covered by the Legislation?	Protected Characteristics								
	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	✓	✓	✓	✓	✓	✓	✓	Not covered by the legislation	Not covered by the legislation
Discrimination by perception Direct discrimination against someone because others think they possess a protected characteristic	✓	✓	✓	✓	✓	✓	✓	Not covered by the legislation	Not covered by the legislation
Indirect Discrimination When a rule or policy applies to everyone but disadvantages a particular protected characteristic	✓	✓	✓	✓	✓	✓	✓	✓	Not covered by the legislation
Harassment* Someone can complain of behaviour they find offensive, even if it's not directed at them	✓	✓	✓	✓	✓	✓	✓	Not covered by the legislation	Not covered by the legislation
Harassment by a Third Party* Someone can complain of behaviour by a third party not employed by The National Archives	✓	✓	✓	✓	✓	✓	✓	Not covered by the legislation	Not covered by the legislation
Victimisation* Someone is treated badly because they have made / supported a complaint or grievance under the Act	✓	✓	✓	✓	✓	✓	✓	✓	✓

*These are covered under the Dignity at Work Policy

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 Sandra'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 transsexual.</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 B who is concerned and monitors the situation. Within a few days the reader approaches Employee J again and makes further offensive remarks. Manager B reacts by speaking to the reader and pointing out that their behaviour is unacceptable. She follows this up with a letter advising that she will ban him if it happens again. Manager B 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.</p>
<p>Victimisation* Someone is treated badly because they have made / supported a complaint or grievance under the Act</p>	<p>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.</p>