

DIVERSITY UNIT, NOVEMBER 2017

# **EQUALITY POLICY**

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# EQUALITY POLICY STATEMENT

The British Council creates international opportunities for the people of the UK and other countries and builds trust between them worldwide. Working effectively with diversity is an essential part of this.

Our Equality Policy commits us to ensuring that there is no unjustified discrimination<sup>1</sup> in the recruitment, retention, training and development of staff on the basis of age, disability, gender including transgender, HIV/AIDS status, marital status including civil partnerships, pregnancy and maternity, political opinion, race/ethnicity, religion and belief, sexual orientation, socio-economic background, spent convictions, trade union activity or membership, work pattern, on the basis of having or not having dependants, or on any other grounds which are irrelevant to decision-making<sup>2</sup>.

Our Equality Policy takes account of relevant legal standards. We aim to abide by and promote equality legislation by following both the letter and the spirit of it in this area. We try to avoid unjustified discrimination which we recognise is a barrier to equality, diversity, inclusion and human rights.

The British Council is committed to:

- understanding, valuing and working constructively with diversity to enable fair and full participation in our work and activities;
- ensuring that there is no unjustified discrimination in our recruitment, selection, performance management and other processes;
- ensuring action that promotes equality; this includes conducting equality screening and impact assessments of policies and functions and progressing diversity action plans;
- treating individuals with whom we work with fairness, dignity and respect;
- playing our part in removing barriers and redressing imbalances caused by inequality and unjustified discrimination.

All staff are required to ensure their behaviour is consistent with this policy. We also require that clients, customers, partners and suppliers be made aware of this policy and operate within it.

The British Council will review the policy at least every three years to help ensure it reflects good practice and new legal and regulatory developments.

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<sup>1</sup> Some types of discrimination are based on characteristics about people they cannot control and so are classified as unlawful and unjustified. Generally, making a distinction between people for a range of reasons **not** related to their specific characteristics and protected by law is **not** unjustified discrimination.

<sup>2</sup> Other irrelevant grounds could include, for example, language, accent, weight, tribe, caste, although these on their own may not attract legal protection.

# BRITISH COUNCIL EQUALITY POLICY

## FOREWORD

As the UK's principal cultural relations organisation we engage with diverse individuals, communities, organisations and other bodies around the world. In doing so we aim to develop and sustain partnerships and relationships based on mutuality<sup>3</sup> to support understanding and trust. Our Equality Policy, which is linked to our values, and our Equality, Diversity and Inclusion Strategy informs this and covers our dealings with clients, customers, partners and suppliers, as well as our staff and contractors<sup>4</sup>.

Equality is about treating people fairly, impartially and without bias and creating conditions in the workplace and wider society that encourage and value diversity and promote dignity and inclusion. This involves trying to redress past imbalances and respond in culturally sensitive ways, through a differentiated approach, where necessary and appropriate.

Our Equality Policy originates from the United Kingdom (UK) because the British Council is an organisation with origins and headquarters in the UK. The policy applies in the UK and globally wherever local conditions allow. Where practices and legislation are more developed and extensive, we aim to meet these. All staff irrespective of their work base are required to ensure their behaviour conforms with the policy which supports the fundamental human right of every person not to be unjustifiably discriminated against.

This policy forms part of our Code of Conduct and is referred to within it to support compliance and the management of risk. It has the full support of the British Council Board of Trustees, the Chief Executive, Executive Board and Trade Union Side.

## VALUING DIVERISTY

We implement our Equality Policy through our Equality, Diversity and Inclusion Strategy. Diversity is an inclusive concept concerned with creating an environment supported by practices which benefit the organisation and all those who work in and with it. It takes account of the fact that people, whilst similar in many ways, differ including (but not exclusively) on the basis of gender, age, race/ethnicity<sup>5</sup>, sexual orientation, physical ability, mental capacity, religion and belief, education, economic status, personality, communication style and approaches to work. Understanding, valuing and effectively managing these differences can result in greater participation that can lead to benefits and success at an individual, team, organisational and wider societal level. Unquestionably, it strengthens cultural relations and supports trust between people in different countries.

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<sup>3</sup> Mutuality is one of our five organisational values and is achieved by interactions based on respect, openness, receptivity and a partnership and sharing approach.

<sup>4</sup> Throughout this document the phrase 'external contacts' is used to refer to our customers, clients, partners, stakeholders, audiences, participants, consultants and contractors.

<sup>5</sup> Throughout this document the word 'race' is to be understood to include colour, nationality or ethnic or national origins in line with the Equality Act 2010 and the Race Relations (Northern Ireland) Order 1997.

## GENERAL STATEMENTS

We are committed to ensuring that policies, strategies, processes and behaviours that promote equality and contribute to an inclusive organisational culture are in place.

This includes our recruitment and selection processes which are designed to help ensure there is no unjustified discrimination on the grounds of age, disability or HIV/AIDS status, gender including transgender and intersex, marital status including civil partnership, political opinion, race/ethnicity, religion and belief, sexual orientation, spent convictions, socio-economic background, trade union activity or membership, on the basis of having or not having dependants, work pattern, or on any other irrelevant grounds<sup>6</sup>.

We promote equality, good relations and inclusion aligned to the Equality Act 2010, Section 75 of the Northern Ireland Act 1998 and the Welsh Language Act 1993 and relevant legislation aligned to the geographical regions in which we operate. As part of this approach, we undertake equality screening and impact assessments of policies and functions which impact on employees or external contacts or the wider community and have high relevance to equality. These impact assessments are a means of promoting equality and good relations, supporting inclusion and avoiding unjustified discrimination, whilst also ensuring that we carefully consider the different needs of particular groups.

We aim to make reasonable adjustments to our working arrangements, policies and practices that enable disabled people to take up employment with us, provide us with services, participate in our projects, programmes, classes and the examinations we administer and other activities.

We are committed to treating our clients, customers and suppliers fairly, with dignity and respect based on our commitment to EDI for their benefit and to earn and warrant their respect and confidence.

## BRITISH COUNCIL VALUES

We have five core values:

- valuing people
- integrity
- mutuality
- creativity
- professionalism

These govern our decision making, organisational culture and behaviours and our dealings with external contacts. They underpin how we implement our Equality Policy and how we engage with and respond to diversity and strive for inclusion in undertaking cultural relations.

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<sup>6</sup>There are some jobs identified within the organisation for which UK nationality is a requirement. In addition UK nationality is a requirement for posts with Diplomatic Status.

## LEGISLATION

The key law which informs our approach is the Great Britain Equality Act 2010 which has harmonised and brought together many previous pieces of legislation. It has widened the scope of discrimination law beyond the area of employment and into the provision of education and training in the broadest sense and the wider supply of goods and/or services.

In many countries in which we operate, aspects of equality are enshrined in law and we strive to meet both the obligations they set out and the spirit of them.

## UNJUSTIFIED DISCRIMINATION

Unjustified discrimination is a barrier to equality, inclusion and human rights and is unacceptable in the British Council on all the grounds identified within this Policy.

### DISCRIMINATION AND HUMAN RIGHTS ACT 1998

Equality, diversity and inclusion are part of a human rights framework. The Human Rights Act 1998 incorporates the European Convention on Human Rights 1952 into UK domestic law. Many countries in which we operate subscribe to this Convention which refers, in Article 14, specifically to the prohibition of discrimination on grounds such as gender, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

### DISCRIMINATION – MOTIVES AND STEREOTYPES

Discrimination does not necessarily occur as a result of a conscious decision. There are subtle and unconscious ways of unjustifiably discriminating. These can arise from making general assumptions about the capabilities, characteristics and interests of a particular group and from applying requirements, conditions or criteria without considering whether they advantage or disadvantage particular groups. We therefore need to take care to avoid all forms of unjustified discrimination and requirements, conditions or criteria. We should be alert to micro-inequities which are cumulative, sometimes subtle behaviours that result in discrimination, exclusion, demotivation and alert to unconscious bias.

Stereotypes have the potential to lead to unjustified discrimination and so should be carefully examined and if necessary, challenged. Stereotypical and potentially offensive language and terminology should be avoided.

## POSITIVE ACTION

Whilst positive discrimination remains generally unlawful within the UK, relevant legislation does provide for, among other things, positive action measures<sup>7</sup>. Positive action aims to promote equality by improving outcomes for groups who are under-represented or disadvantaged. In these instances, it is possible to encourage specific groups to take advantage of employment opportunities, or to provide training and development for them. We sometimes take these measures into account when arranging training courses and development opportunities. Also, we welcome applications for jobs where there is under-representation in our workforce and sometimes identify additional positive action measures to support the equality targets we have set to try to address under-representation.

As an organisation which operates in a large number of countries globally, we sometimes take positive action where it is legally permissible. In addition, if local legislation requires, we may positively discriminate. For example, we may be obliged to comply with a quota system under which a fixed percentage of nationals should be employed in a particular country.

## RECRUITMENT AND SELECTION

Equality is an important part of our recruitment and selection policies and processes and we require all those undertaking selection decisions to have appropriate and up to date training in support of this.

Advertisements, whether internal or external (this includes all media – e.g. printed and online - leaflets, posters and other aids, visual or non-visual) must not indicate or appear to indicate an intention to unjustifiably discriminate on the grounds we have identified within this policy.

We must not confine our advertising to areas or publications which would unjustifiably exclude or disproportionately reduce the number of applicants of a particular age, minority community, gender, marital or civil partnership status, sexual orientation, religion or belief, political opinion, race/ethnicity, disability and/or carer status.

All advertisements for British Council jobs or placements should reflect our commitment to equality through the following indicative statements:

“The British Council is committed to equality, diversity and inclusion.”

“We welcome applications from all sections of the community.”

“We guarantee an interview to disabled candidates who meet the essential criteria.”

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<sup>7</sup> The focus of positive action is on redressing systemic, historical or institutional discrimination by encouraging the participation of under-represented or disadvantaged groups, or providing development opportunities so they can compete equally. Positive discrimination is recruiting or promoting, or generally giving preference to a person, solely because they belong to a specific, and usually, under-represented group.

## PERFORMANCE MANAGEMENT

Our Equality Policy applies to performance management, succession planning and development opportunities. All staff should be encouraged to consider how equality, diversity and inclusion can add value to their work and have a related deliverable and/or development objective. Evaluation, reporting and moderation of performance should be based solely on evidence, not on stereotypes or assumptions about staff, such as women's mobility or length of future service, or the suitability of staff of particular ethnic origins to undertake specific jobs. Unconscious bias should be guarded against.

## PRIMARY GROUNDS

The British Council does not have separate policies to cover different areas of diversity. It has a primary but not exclusive focus on six grounds which are referred to in brief below:

### Age

We believe it is positive to have a workforce of different generations and ages and to encourage the contributions of children, young people and adults of different ages, across the range of our work. We require staff, partners and suppliers to abide by our Child Protection and Adults at Risk Policies and to ensure that there is no unjustified age discrimination in work related activities by applying our Age Criteria Guidance to promote generational and age diversity as appropriate and practicable.

In the UK and some other countries where we operate there is no default retirement age. This contributes to ensuring ageing does not lead to reduced opportunities and supports us to employ colleagues regardless of their age. This promotes inclusion and the learning that comes from working with people of different ages.

### Disability

We are committed to addressing unjustified discrimination against disabled people and to promoting the inclusion of disabled people in public life. We recognise disability as a broad concept that includes physical, cognitive and mental health issues and long-standing and fluctuating health conditions. We acknowledge that people are often not disabled through their own individual impairments or relative ability, but through common social attitudes and physical and attitudinal barriers which result in marginalisation and lack of access to full human rights. We aspire to address this by consciously identifying and removing such barriers, making reasonable adjustments and promoting the social model of disability. Our Promoting Inclusion: Disability Equality Guide is a resource for all our staff that supports this.

### Gender

We are committed to tackling gender discrimination. Our focus is on promoting equality and eradicating unjustified discrimination in relation to women and girls who worldwide frequently experience social and economic disadvantage, negative attitudes, alienation, abuse and violence. We also seek to address inequalities experienced by men and boys and seek ways to ensure that they are not disadvantaged by or excluded from the work that we do.

We recognise that people are subjected to discrimination based on their gender reassignment, or perceived gender reassignment, or because they are transgender, intersex or hold another gender identity which may include gender fluidity. Consistent with the respect we have for everyone's right to live in their preferred gender identity, we make relevant guidance available to attune people to the challenges faced by transgender and intersex people. We aim to offer appropriate support, within the workplace and in the course of our activities to enable everyone to be recognised as they wish.



## **Race/Ethnicity and Culture**

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.

We believe that our work is enriched by the different ethnic/racial, cultural groups and travelling communities we engage with and that cultural relations has an important role to play in mutual understanding and exchange.

We recognise however that conflict based on ethnic, cultural and other factors, including asylum seeker and refugee status, continues to exist and undermines inclusion. We require all staff, partners and suppliers to ensure no unjustified discrimination on grounds of race/ethnicity occurs and to promote positive and equitable relations between different races/ethnicities and cultures. We have a Race Equality Guide to help ensure this.

## **Religion and Belief**

We value and respect the religions/beliefs held by staff and external contacts working in and with the British Council and in the communities in which we operate, including those of no religion or belief. We try to ensure that needs and preferences are met. In many countries we provide a dedicated faith or quiet room for prayer, meditation or quiet reflection. In some, we make provision as required by the flexible use of our facilities, and take other actions, including supporting staff during the Holy Month of Ramadan.

Where there are existing work requirements which may conflict with particular cultural and religious needs, we carefully consider whether it is reasonably practical to vary or adapt these to enable needs to be met. Requests for the accumulation of annual leave or unpaid leave in order to undertake pilgrimage, or to take unpaid leave or exchange public holidays for other Holy Days of Obligation such as Eid, Yom Kippur, Diwali or Guru Nanak require constructive consideration.

Our Religion and Belief Guide acts as a resource to support our understanding and to promote related good practice. We hold that increasing religious literacy will contribute to improved cultural relations.

## **Sexual Orientation**

We are committed to supporting lesbian, gay, bisexual and heterosexual people to feel included and valued. We believe all colleagues have the right to be themselves at work without having to be concerned about sharing aspects of who they are.

Whilst we respect the right of individuals to be open, or otherwise, about their sexual identity we recognise that sexual minorities can face especial challenges and be fearful of doing so in the workplace and beyond due to homophobia and heterosexism, as well as persecution. We are committed to tackling discrimination and harassment against lesbian, gay, bisexual staff and to supporting their inclusion.

We support everyone working with, or for the British Council to understand that negative messages or stereotypes on the basis of actual or perceived sexual orientation are unacceptable and inconsistent with our commitment to equality, diversity and inclusion.

We are aware that some laws and cultures are particularly hostile towards lesbian, gay and bisexual people and we seek to offer a supportive environment to all colleagues and customers regardless of their sexual identity.

## **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 British Council and we remain committed to regular equal pay audits. We are also committed to transparency and fairness in the allocation of bonuses and other allowances.

## **HIV AND AIDS**

Given the climate of fear that exists around HIV and AIDS worldwide and its global prevalence, we recognise the unique nature of this illness. In partnership with the Foreign and Commonwealth Office and the Department for International Development we have developed a policy that reaffirms we will not discriminate against applicants or employees who are Human Immunodeficiency Virus positive (HIV+).

The policy outlines the support that will be provided to colleagues and their families and confirms our commitment to trying to maintain a safe environment free from harassment or other forms of discrimination based on HIV/AIDS. It should be noted that under UK law and some other legal systems, those with HIV or AIDS are protected against unjustified discrimination from the point of diagnosis.

## **SOCIO ECONOMIC BACKGROUND**

We recognise that globally, people face discrimination, marginalisation and reduced opportunities because of their socio-economic background. Employment, education and the quality and nature of health care, housing, access to international opportunities and our services, for example, is determined by socio-economic background.

We are committed to providing opportunities for people from socially disadvantaged backgrounds to be employed and also to participate in our programmes, events, classes and activities wherever possible. We aim to realise this commitment through reviewing criteria to ensure that unnecessary requirements are not in place and seeking opportunities to widen participation in employment and our activities.

## **BULLYING AND HARASSMENT**

Bullying and harassment are about misuse of power and should not be a part of our working culture or practices and our Equality Policy requires each member of staff to guard against all harassment and support a dignifying work environment.

Bullying is offensive, intimidating, malicious and/or insulting behaviour, or an abuse or misuse of power, that undermines, humiliates, or injures the recipient.

Harassment, in general, is unwanted conduct affecting someone's dignity. It can be related to age, disability, ethnicity/race, gender, religion or belief, sexual orientation, or any personal characteristic of the individual. It may involve persistent incidents or an isolated one. The crucial aspect is that the actions or comments are deemed to be demeaning and unacceptable to the recipient and create a hostile environment.

Bullying and harassment can manifest in a variety of ways, including by one member of staff to another of a different or equivalent level/pay band, or by one group of staff to an individual member of staff or an external contact. If bullying or harassment involves issues of gender including transgender, sexual orientation, marital including civil partnership status, carer responsibility, race/ethnicity, religious belief, political belief, age or disability, relevant legislation

may apply. A policy exists to help managers and staff deal with bullying and harassment and stop it from taking place at, or in the course of work.

## **COMPLAINTS**

It is hoped that matters relating to complaints can be handled informally, at least in the first instance, and indeed can be resolved informally. Staff who have a complaint may wish to contact relevant Human Resource staff, any Trade Union representative, Staff Association representative, Teachers' representative or a trusted colleague, for example, for support. All complaints should be handled in confidence. External contacts wishing to complain should use the Complaints Policy.

Any member of staff who feels that the treatment they have received is not in keeping with our Equality Policy has a right to register a complaint under the Grievance Framework.

Staff must not be intimidated, discriminated against or treated differently for raising a concern, complaining or assisting in an investigation. If this happens it could amount to victimisation which is unlawful within the terms of the relevant legislation and goes against this policy and our Equality, Diversity and Inclusion Strategy and their application.

## **SPEAKING UP**

The Speaking Up Policy aims to protect the British Council by providing a framework that encourages and enables staff to raise concerns about serious malpractice. These concerns may be about financial malpractice, breaches of the law, serious misconduct by another person and breaches in the areas of health and safety, or indeed diversity. Built into the policy is an assurance that there will be no risk to the person raising such concerns if actions are based on good faith.

## **RESPONSIBILITIES**

As an organisation representing and promoting the UK's achievements overseas, it is particularly important that we reflect contemporary UK society, good workplace and customer service practices. Further, it is important that we adhere to legislation and behavioural standards and to our corporate core values and recognise that, as a general principle of law, employers may be liable for acts of unjustified discrimination committed by their employees in the course of their employment.

Putting this policy into practice is the responsibility of every individual employee. All staff, including those working from home, whether on full-time, part-time, indefinite, fixed or temporary contracts, regardless of length of service, are responsible for playing their full part in adhering to the policy. This means becoming familiar with the policy and its requirements and carrying them out, as well as critically examining attitudes to ensure that discrimination is not allowed to affect judgement. The law and the existence of an Equality Policy cannot by themselves prevent unjustified discrimination. It is crucial that everyone takes personal responsibility to help ensure that the work environment, consistent with cultural relations, respects the dignity of everyone and in broad terms, values the differences that exist between people and cultures. In addition, we should be attuned to and seek to build on what we share and have in common consistent with our cultural relations aims.

All staff will be supported to be aware of the forms which unjustified discrimination can take, to guard against them and to avoid any action that might influence others to discriminate unfairly. This will be achieved through, for example, ongoing awareness and training initiatives, using the British Council's Diversity e-learning materials and engaging with the range of

developments initiated by the Diversity Unit and by other parts of the organisation.

Responsibility for ensuring the implementation of the policy and for dealing with matters arising from it lies with managers within departments. As part of fulfilling this responsibility, managers must take care to deal effectively with complaints of unjustified discrimination, harassment, bullying and victimisation. They must not make assumptions that complaints are a result of 'over-sensitivity' and must take them seriously and deal with them sympathetically and in a way that is consistent with principles of natural justice.

There is a requirement to ensure that external contacts including suppliers are aware of this policy and their obligations to work and operate within its parameters as appropriate. The Equality/Equal Opportunity Policy or other similar policy of contractors, where these exist, must be reviewed before entering into an agreement with them, and if necessary a related discussion undertaken.

Any member of staff who unjustifiably discriminates or induces others to do so may be subject to disciplinary action. In addition, any staff who fails to co-operate with measures promoting equality in the context of British Council activity may be subject to such action.

The British Council opposes any conduct or activity by any individuals it employs which is contrary to its Equality Policy, or which is likely to bring it into disrepute in relation to diversity issues.

Nothing in the Equality Policy is intended to interfere with the legitimate freedom of artistic or intellectual expression, investigation or discussion. It is understood that there can often be a fine line between what is acceptable and unacceptable and each case will be considered on the individual circumstances.

## **MONITORING, EVALUATION AND LEGAL COMPLIANCE**

Monitoring and evaluation help us assess the effectiveness of our Equality Policy and Equality, Diversity and Inclusion Strategy and to this end we have a number of mechanisms in place. For example, we undertake extensive monitoring of the equality profile of our UK-contracted staff and we are increasingly extending this outside the UK in order to help capture data on the equality profile of all British Council staff. We evaluate our efforts to mainstream diversity biennially through a Diversity Assessment Framework.

We comply with the requirement under Article 55 of the Fair Employment and Treatment (Northern Ireland) Order 1998 to complete a review of employment composition and practice every three years and report on this. This is to ensure that Roman Catholics and Protestants enjoy fair participation in employment in Northern Ireland. We also undertake an annual progress report and a five year review against our obligations under Section 75, Northern Ireland Act 1998.

We fulfil our obligations under the Welsh Language Act 1993 supported by the British Council [Welsh Language Scheme](#).

## COMMUNICATION

A copy of the Equality Policy is made accessible to all employees via the web and intranet sites.

All staff, including newly appointed ones must be made aware of it and their individual and wider organisational responsibilities for achieving equality objectives. In addition, the policy and supporting Equality, Diversity and Inclusion Strategy and/or its principles, in keeping with our mainstreaming endeavours, must be referred to as appropriate. This includes in relevant training courses, guidance notes and manuals, throughout the procurement process and the induction of consultants and contractors and as part of operational work.

## REVIEW

We commit ourselves to undertaking a formal review of the policy at least once every three years and to communicate changes organisation-wide. Responsibility for this lies with the Global Head of Equality, Diversity and Inclusion. Next review date is November 2020.

*Fiona Bartels-Ellis  
Global Head of Equality, Diversity and Inclusion  
November 2017*

### **Formal review due: November 2020**

To obtain further copies of this policy, or if you have any questions or comments about it, please contact the Diversity Unit.