

# **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, 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.

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.

The Equality Policy has the full support of the British Council Board of Trustees, the Chief Executive, Executive Board and Trade Union Side.

## VALUING DIVERSITY

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 from one another in various ways including (but not exclusively) on the basis of gender, age, race/ethnicity<sup>4</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.

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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 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 reject unjustified discrimination and are committed to ensuring that policies, strategies and processes that promote equality are in place. We are also committed to removing barriers to redressing imbalances.

Our recruitment and selection and a number of other processes and decisions 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>5</sup>.

We are committed to promoting 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 customers/clients/audiences or the wider community and have high relevance to equality. These assessments are a means of supporting inclusion and 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, to provide us with services, or participate in our projects, programmes or other activities.

We are committed to treating our clients, customers and suppliers fairly and with dignity and respect and to maintain high equality related standards for their benefit as part of earning 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 clients, customers and suppliers. They underpin how we implement our Equality Policy and how we engage with and respond to diversity as part of our cultural relations work.

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<sup>5</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 UK law is the 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.

Legislation outside the UK also addresses unjustified discrimination: for example the Employment Equity Act 1998 South Africa.

## **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 THE HUMAN RIGHTS ACT 1998**

Equality, valuing 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 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>6</sup>.

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<sup>6</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.

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 in 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 need to be mindful of local legislation and outside the UK 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.”

## **PERFORMANCE MANAGEMENT**

Our Equality Policy applies to performance management, succession planning and development opportunities. When evaluating and reporting on performance, assessments should be based solely on evidence, not on stereotypes and 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.

## **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 seven grounds which are referred to in brief below:

## **Age**

We believe it is positive to have a workforce of employees 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 ensure that there is no unjustified age discrimination in work related activities and to promote generational and age diversity as appropriate and practicable.

## **Disability**

We are committed to addressing unjustified discrimination against disabled people and to promoting the inclusion of disabled people in public life. We recognise that disabled people, including those with specific learning differences and mental health issues, are disabled not necessarily 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.

## **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 disadvantage 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. 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 offer appropriate support, within the workplace and in the course of our activities, to transgender and intersex staff and participants.

## **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.

Our work is enriched by the different ethnic/racial, cultural groups and travelling communities we engage with. However, conflict based on differences, 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 ethnic groups.



## **Religion and Belief**

We value and respect the religions/beliefs and cultural diversity of staff working in 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 dedicated prayer facilities and in some we make provision as required by using different rooms flexibly, 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.

## **Sexual Orientation**

All colleagues have the right to be themselves at work without having to be fearful about sharing aspects of who they are. We are committed to tackling unjustified discrimination and harassment against lesbian, gay, bisexual and heterosexual people and respect the right of individuals to be open, or otherwise, about their sexual orientation.

Everyone working with or for the British Council should feel confident that negative messages or stereotypes on the basis of actual or perceived sexual orientation will not be tolerated. We are aware that some laws and cultures are particularly hostile towards lesbian, gay and bisexual people and we seek to offer a supportive and safe environment to all colleagues and customers regardless of sexual orientation.

## **Work-Life Balance**

We are committed to tackling unjustified discrimination because of various working arrangements such as flexible working or part-time working and also because of carer responsibilities such as adoption.

We understand the benefits of helping employees to balance their work and personal commitments and are committed to supporting staff to work flexibly wherever this is operationally possible. This is becoming increasingly important as the world of work changes and technological advances mean that expectations around communication increase. In order to support colleagues to manage their work-life balance we have policies related to a range of flexible working arrangements, adoptive, maternity and paternity leave, career breaks, special leave, carer leave, assistance with childcare and parental leave.

## **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.

## **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.

## **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 a contractor, supplier or programme participant. 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 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.

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 and client care 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 clients, customers and suppliers are aware of this policy and their obligations to work and operate within its parameters as appropriate. The Equality/Equal Opportunity 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 will be subject to disciplinary action. In addition, any staff who fail to co-operate with measures promoting equality in the context of British Council activity will 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 undertake monitoring of risk in the area of equality through our Enterprise Risk Management Framework and 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.

## **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 Head of Equality, Diversity and Inclusion.

*Fiona Bartels-Ellis  
Head of Equality, Diversity and Inclusion  
November 2014*

### **Formal review due: November 2017**

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