

Title: EQUALITY AND DIVERSITY (KLOE)

**1.0 INTRODUCTION**

- 1.1 We have a duty and responsibility under the requirements of The Equality Act 2010 to ensure that all our staff work within a service that embraces and encourages equality and diversity.
- 1.2 Within this regard we will endeavour to promote best employment practice and strive to be an employer that values all our staff regardless of an individual's diversity.
- 1.3 We are committed to eliminating discrimination, harassment or victimisation and encouraging diversity amongst our staff, which is described as part of the Equalities Act 2010.
- 1.4 Our aim is to have a workforce that will be truly representative of all sections of society and each employee feels respected and able to give of their best. To that end the purpose of this policy is to provide equality and fairness for all in our employment and not to discriminate on grounds of gender, marital status, race, ethnic origin, colour, nationality, national origin, disability, sexual orientation, religion or age.

**2.0 WHAT DOES EQUALITY OF OPPORTUNITY MEAN**

- 2.1 Equality of opportunity referred to in the Equality Act 2010 means that an individual's diversity is viewed positively and, in recognising that everyone is different, valuing equally the unique contribution that individual experience, knowledge and skills can make.
- 2.2 Staff understand that people's needs in respect of age, disability, gender, race, religion or belief, sexual orientation and gender reassignment are understood and met in a caring way.
- 2.3 **Definition of Equality:**  
In essence treating all people equal regardless of personal characteristics. The Equality Act 2010 defines the following as 'protected characteristics':
  - Age.
  - Disability.
  - Sex.
  - Sexual Orientation.
  - Race.
  - Religion or Belief.
  - Gender reassignment.
  - Marriage or Civil Partnership.
  - Pregnancy and Maternity Status.

- 2.4 **Definition of Diversity:**  
Understanding, recognising, respecting and valuing differences.

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**3.0 PRINCIPALS OF OUR POLICY**

- 3.1 We are committed to ensuring that all staff who work for our service or whoever, applies to work for us it (providing that they have a legal right to work in the UK), will be treated fairly and equally valued regardless of their protected characteristics or other circumstances.
- 3.2 In recognising the value of equality and diversity management we will work to achieve the aims of this policy, best practice and equality legislation to deliver a positive working environment for all staff.
- 3.3 This policy relates to all aspects of employment including individual standards of behaviour, the advertisement of jobs, recruitment and selection, training and development, promotion and leaving our service.
- 3.4 We will work to protect staff against unlawful treatment based on protected characteristics by ensuring that all staff are aware of their responsibilities in relation to equality and diversity. All staff will be expected to attend training on equality and diversity.
- 3.5 Equality and diversity in all employment practices will be monitored and annual equality audits will be undertaken to provide the manager with information in relation to the effectiveness of this policy and data in respect of race, gender, age, disability.
- 3.6 Where certain groups are found to be under represented we will consider positive action to address the issue.
- 3.7 All our employees will be helped and encouraged to develop their full potential and the talents and resources of our staff will be fully utilised to maximise the efficiency of the service.

**4.0 MEETING THE EQUALITY AND PROTECTED CHARACTERISTICS OF SERVICE USERS**

- 4.1 People using services must not be discriminated against in any way and we take account of protected characteristics, set out in the Equality Act 2010.
- 4.2 The protected characteristics are age, disability, gender, gender reassignment, pregnancy and maternity status, race, religion or belief and sexual orientation. These will be respected by all of our staff.
- 4.3 The manager must make sure that they have due regard to Service Users protected characteristics in the way in which they meet all other regulatory requirements. For example, in relation to care and treatment reflecting the person's preferences, or in relation to community involvement.

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- 4.4 Qualified staff will carry out a comprehensive assessment of the Service Users needs using the Person Centred Care Plan, DC-054, that includes the Service Users protected characteristics, physical, mental, emotional and social needs under the Equality Act.
- 4.5 Individual preferences, interests and aspirations and community involvement should be understood by staff will form part of the Service Users Person Centred Care Plan, DC-054, so that people using the service have as much choice and control as possible.
- 4.6 Staff should also refer to procedure SD-01, Assessment Planning and Reviews and the Person Centred Care Plan, DC-054 which details the assessment of the Service User's preferences in relation to their protected characteristics and the service to be provided.
- 4.7 The Person Centred Care Plan, DC-054, should also contain details of what reasonable adjustments are to be made to enable the Service User to receive their care or treatment. Reasonable adjustments are set out in the Equality Act 2010.

### 5.0 PROTECTIVE CHARACTERISTICS (STAFF)

- 5.1 Staff must not be discriminated against in any way. The manager must ensure that all staff take account of the protected characteristics, set out in the Equality Act 2010. The protected characteristics are age, disability, gender, gender reassignment, pregnancy and maternity status, race, religion or belief and sexual orientation.
- 5.2 This means we must not discriminate, harass or victimise people because of these protected characteristics. This includes direct and indirect discrimination, which is described in the Equality Act 2010.

### 6.0 DISCRIMINATION

- 6.1 We oppose all forms of unlawful and unfair discrimination. All our staff, whether part-time, full-time or temporary, will be treated fairly and with respect.
- 6.2 Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.
- 6.3 The impact of any behaviour is the important element in allegations of breaches of equality and diversity policy and legislation, not the intent. It is no defence for staff to say that they did not intend their behaviour to cause offence, or to blame the recipient for being over sensitive.
- 6.4 Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings.

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### 7.0 COMPLAINTS

7.1 Any complaint received regarding equality and diversity will be investigated through our complaints policy and procedures.

### 8.0 STAFF TRAINING

8.1 Equality and diversity will form part of the staff training programme and will include the requirements of the Equality Act 2010 and the Protected Characteristics. The value of equality and diversity will also be covered as part of staff induction.

### 9.0 MONITORING

9.1 Statistical information relating to gender, race, disability and age, as a minimum will be collected and collated for all recruitment and selection exercises, staff in post, training, discipline and grievance process and staff exits.

9.2 We will carry out an annual audit to ensure that this policy is operating as intended, and revise when required.

### 10.0 RESPONSIBILITIES OF ALL STAFF

10.1 We expect all our staff to comply and adhere with the content of this policy in order to ensure equality of opportunity and therefore:

- Not to carry out any form of discrimination in the course of their duties nor induce or attempt to induce others to do so.
- Not victimise, harass or intimidate anyone on account of their protected characteristic or other circumstances.
- Recognise their duty to inform their manager if they suspect that discrimination is taking place.

### 11.0 EQUALITIES AND HUMAN RIGHTS COMMISSION

11.1 The commission have produced a range of codes of practices which will provide the manager and staff with further information on equality.

11.2 These codes of practices can be downloaded from:

<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice/>

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**Guidance for managers**

**What the Care Quality Commission requires**

**Key Lines of Enquiry 2018 - Effective E1: Are people’s needs and choices assessed and care, treatment and support delivered in line with current legislation, standards and evidence-based guidance to achieve effective outcomes?**

Prompt	Compliance Evidence
E1.2 What processes are in place to ensure there is no discrimination, including in relation to protected characteristics under the Equality Act, when making care and support decisions?	Section 1.0 of this policy addresses the prompt.  Section 6.0 of this policy addresses the prompt.

Managers will need to demonstrate to CQC that they are complying with the regulation and Fundamental Standard by following this procedure that provides the evidence.