

## HUMAN RESOURCES POLICY

### EQUALITY & DIVERSITY

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| <b>Consultation Process:</b> | Partnership Forum            |
| <b>Formally Approved:</b>    | Executives in Common 16/5/17 |

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| <b>Approval Given By:</b>   | n/a                                  |

#### Document History

| Version | Date       | Significant Changes |
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| 1.0     | April 2013 | n/a                 |
| 2.0     | May 2015   | n/a                 |

#### Equality Impact Assessment

| Date     | Issues |
|----------|--------|
| 22.03.13 | None   |

#### Policy Validity Statement

This policy is due for review on the latest date shown above. After this date, policy and process documents may become invalid. Policy users should ensure they are consulting the currently valid version of the documentation.

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## **1. POLICY STATEMENT**

- 1.1 The CCG is committed to equality of opportunity for all employees and is committed to employment practices, policies and procedures which ensure that no employee, or potential employee, receives less favourable treatment on the grounds of gender, race, colour, ethnic or national origin, sexual orientation, marital status, religion or belief, age, trade union membership, disability, offending background, domestic circumstances, social and employment status, HIV status, gender reassignment, political affiliation or any other personal characteristic. Diversity will be viewed positively and, in recognising that everyone is different, the unique contribution that each individual's experience, knowledge and skills can make is valued equally.
- 1.2 The promotion of equality and diversity will be actively pursued through policies and ensure that employees receive fair, equitable and consistent treatment and ensure that employees, and potential employees, are not subject to direct or indirect discrimination.
- 1.3 This policy is complimentary to the NHS Staff Council Equality and Diversity and Dignity at Work agreements and the CCG's Prevention of Harassment and Bullying at Work policy.
- 1.4 It is a condition of employment that all employees respect and act in accordance with the Equality and Diversity Policy. Failure to do so will result in the disciplinary procedure being instigated, which could result in dismissal.

## **2. PRINCIPLES**

- 2.1 The CCG will promote, through the provision of training and guidance, the impartial application of all employment policies and procedures, and will take action to deal with all inappropriate behaviour. Courses will be developed to meet specific training needs in relation to equality and diversity and appropriate training events will be provided for all employees involved in selection for recruitment or training. The responsibilities of the employer and employee for equality and diversity will be positively incorporated into employee training at all levels from induction courses to Senior Management workshops.

## **3. DEFINITIONS**

- 3.1 Direct discrimination occurs when an individual is treated less favourably because of their gender, race, colour, ethnic or national origin, sexual orientation, marital status, religion or belief, age, trade union membership, disability, offending background or any other personal characteristic. An example of direct discrimination would be dismissing a female employee because she is pregnant.
- 3.2 Indirect discrimination occurs when an unjustifiable condition or requirement is applied which has a discriminatory effect, as the number of people who can comply with the condition or requirement is smaller among a particular group. An example of indirect discrimination would be only sending full-time employees on training courses (as more female employees than male are likely to be part-time).

## **4. RESPONSIBILITIES**

### **The Chief Officer**

- 4.1 The CCG's Chief Officer has ultimate responsibility for monitoring the operation and implementation of the Equality and Diversity Policy and for ensuring that monitoring records are maintained.

## **Responsibilities of Non Executive Directors and Directors**

- 4.2 Non Executive Directors and Directors will adopt appropriate strategies to support and value equality and diversity within the organisation.

## **Responsibilities of Managers**

- 4.3 Managers are required to exercise leadership in this field by discouraging prejudice and by modelling appropriate behaviour. They must ensure that the policy is clearly communicated to their employees along with sources of available support. They must also take speedy and appropriate action to deal with any breaches of the policy, or behaviour that could lead to a breach of the policy.
- 4.4 Any identified breaches of the Equality and Diversity Policy should be dealt with using the Disciplinary, Grievance or Harassment and Bullying policies.
- 4.5 Managers are responsible for applying employment practices, policies and procedures fairly and consistently, and for highlighting and addressing any practices which could lead to discrimination.

## **Responsibility of Employees**

- 4.6 All employees are responsible for familiarising themselves with the Equality and Diversity Policy and for complying with it. Employees should inform their manager if they know or suspect that discrimination/ harassment is occurring.

## **5. EQUALITY**

- 4.1 In applying this policy, the Organisation will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

## **6. MONITORING & REVIEW**

- 6.1 The HR service will maintain records of gender, ethnic origin, age and disability for all employees and for internal and external job applicants. This information will be collected and stored in line with the Data Protection Act 1998 and will only be used to monitor compliance to the Equality and Diversity Policy. The information will be analysed regularly.
- 6.2 Equality impact assessments will take place at a frequency to be determined by the Equality & Diversity Committee.
- 6.3 The policy and procedure will be reviewed periodically by Human Resources and trade unions giving due consideration to legislative changes.

## **PART 2**

### **1. PROCEDURE FOR DEALING WITH COMPLAINTS OF DISCRIMINATION**

- 1.1 Any employee who feels that they have been discriminated against on any grounds set out in this policy should initially raise their concerns with their line manager. Where an employee's concerns relate to their line manager, the employee should raise their concern with the next more senior officer. Alternatively, employees may wish to discuss their concern with a member of the Human Resources Department.
- 1.2 Where resolution cannot be achieved through informal discussion, an employee may put forward a grievance in line with the guidelines set down in the CCG's Grievance Procedure. Alternatively the CCG's Prevention of Harassment and Bullying at Work policy may be followed. At all stages of the procedure, employees can be accompanied by a Trade Union representative or work colleague.

## Equality Analysis Initial Assessment

**Title of the change proposal or policy:**

Equality and Diversity Policy

**Brief description of the proposal:**

To ensure that the policy amendments are fit for purpose, that the policy is legally compliant, complies with NHSLA standards and takes account of best practice.

**Name(s) and role(s) of staff completing this assessment:**

Shamshy Salehin, HR Consultant, Cheshire HR Service

**Date of assessment: 22<sup>nd</sup> March 2013**

**Please answer the following questions in relation to the proposed change:**

**Will it affect employees, customers, and/or the public? Please state which.**

Yes, it will affect all employees

**Is it a major change affecting how a service or policy is delivered or accessed?**

No

**Will it have an effect on how other organisations operate in terms of equality?**

No

**If you conclude that there will not be a detrimental impact on any equality group, caused by the proposed change, please state how you have reached that conclusion:**

No anticipated detrimental impact on any equality group. The policy adheres to the NHS LA Standards, Equality Act 2010 legislation and takes account of best practice. Makes all reasonable provision to ensure equity of access.