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| <b>Associated documents</b> | ACPHR1001 Recruitment and Selection Policy Document<br>ACPHR1003 DBS Policy<br>ACPIMT1001 Data Protection Policy Document<br>ACPHR1066 Exit Interview Form |

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### Change Record Form

| Version | Date of Change | Date of Release | Changed by   | Reason for Change            |
|---------|----------------|-----------------|--------------|------------------------------|
| 001     | 01/08/2017     | N/A             | Debbie Lane  | New Policy Format            |
| 002     | 01/08/2017     | 01/08/2017      | David Mylett | Policy Approval              |
| 002     | 01/06/2018     |                 | JS           | Company name change          |
| 002     | 01/07/2018     |                 | JS           | Final draft pending approval |
| 002     |                | 28/08/2018      | SB           | Released                     |
| 003     | 12/02/2019     |                 | DE           | ISO ref number update        |
| 004     | 19/03/2019     |                 | DE           | EDS2 Included                |



## 1. Purpose of this Document

- 1.1 The purpose of a policy on equality and diversity is to make sure that Ambulnz Community Partners is fully committed to these principles and values and to communicate this commitment to all stakeholders.
- 1.2 The Policy outlines how the Organisation intends to meet the general and specific duties of the Equality Act 2010 and address the protected characteristics outlined in the legislation.

## 2. Equality Delivery System 2 (EDS2)

- 2.1 ACP are aware of the NHS Equality Delivery System (EDS2) which provides the NHS with a framework to ensure that services are delivered in a proportionate and relevant manner that meets the needs of all service communities
- 2.2 ACP will work with its client organisations to deliver better outcomes for patients and staff within the framework of EDS2 to provide an opportunity to ensure the four key goals set within EDS2 are met. The four goals being:
  - Better Health Outcomes
  - Improved Patient Access and Experience
  - A representative and supported workforce
  - Inclusive leadership
- 2.3 At ACP, our core values are intrinsically linked to equality, diversity, inclusion and human rights and will continue to embrace the requirements of Section 149 of the Equality Act 2010, the Public Sector Equality Duty which, specifically requires public bodies to:
  - Eliminate unlawful discrimination, harassment, victimisation and any other conduct under the Act;
  - Advance equality of opportunity between people who share a protected characteristic and people who do not share it;
  - Foster good relations between people who share a protected characteristic and people who do not share it.

## 3. The Equality Act 2010

- 3.1 The Equality Act came into effect on 1<sup>st</sup> October 2010 as UK legislation to legally protect people from discrimination in the workplace and in wider society. The Equality Act affords legal protection from discrimination to 9 specific groups known as “Protected Characteristics”.



**a) EMPLOYMENT EQUALITY (AGE) REGULATIONS 2006**

Ambulnz Community Partners (ACP) is committed to tackling age discrimination, which can affect both young and older people, particularly when they apply for jobs. We will consult with young people and older people, so that we can do our best to provide services which meet their diverse needs. When we do consult, we will consider younger and older people's views separately from those of families and careers and provide advocates where necessary.

**b) DISABILITY DISCRIMINATION ACT 1995**

ACP recognise that disabled people experience discrimination and prejudice in our society. This happens in all areas of their lives, and specifically when trying to access education, training, job opportunities and mainstream services. ACP is committed to doing all it can to provide disabled people with equal and inclusive access to employment opportunities and to our services.

**c) THE SEX DISCRIMINATION (Gender Reassignment) REGULATIONS 1999**

These regulations have amended the Sex Discrimination Act so as to make it unlawful to treat a person less favourably because that person has undergone, intends to undergo or is undergoing gender reassignment.



One of the most difficult times for transgender people is 'coming out' at work. So, we will do our best to make sure that the transition at work from one gender to the other is as trouble free as possible. We will do this by being flexible with sick leave arrangements for time off work for medical or surgical procedures concerned with gender reassignment. We will not breach confidentiality and will only disclose details to those few people who 'need to know'. When the employee is ready, we will help with an action plan for informing colleagues, and where necessary, service users about their new gender. We will offer counselling and support to both the individual and their colleagues to deal with the situation in a constructive way. We will make sure that we update references to the employee in their previous gender on personnel and other records.

**d) THE CIVIL PARTNERSHIP ACT 2004**

This enables same sex couples to obtain legal recognition of their relationship. Couples who form a civil partnership have a new legal status, that of 'civil partner'.

ACP is committed to promoting equality of opportunity in relation to marriage and civil partnerships. All people have a right of equality of opportunity irrespective of marriage/civil partnership. ACP wishes to be recognised by the community as an organisation which provides good employment opportunities for people who are married or in a civil partnership and we wish individuals who apply to us as an employee to know that they will receive fair treatment and be treated solely on their ability.

**e) PREGNANCY AND MATERNITY**

A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled. During this period, pregnancy and maternity discrimination cannot be treated as sex discrimination. The organisation will not take into account an employee's period of absence due to pregnancy-related illness when making a decision about employment.

ACP recognises being pregnant or a new mother does not prevent you from working and developing your career. Many women work while they are pregnant and return to work while they are breastfeeding. In many workplaces, there are risks which may affect the health and safety of new and expectant mothers and that of their child. Working conditions generally considered acceptable may no longer be so during pregnancy and while breastfeeding. ACP will do their utmost to protect the health and safety of new and expectant mothers.

**f) RACE RELATIONS ACT 1976**

This act makes it unlawful to discriminate against a person either directly or indirectly in the field of employment unless a Genuine Occupational Qualification (GOQ) is required in compliance with the Act. Racial grounds include race, colour and nationality (citizenship or ethnic/national origin).

ACP recognises that some people face discrimination because of their colour, race, ethnic origin, and nationality, including citizenship.

We are committed to challenging all forms of racial discrimination. We will develop policies, procedures and practices to make sure minority ethnic communities have fair and equal inclusive access to our services and job opportunities.

**g) EMPLOYMENT EQUALITY (RELIGION OR BELIEF) REGULATIONS 2003**

It is unlawful to discriminate, victimise or harass an employee because of their religion or similar beliefs. A Religion or Belief is defined as being any religion, religious belief or similar philosophical belief. This does not include any philosophical or political belief unless it is similar to religious belief.

ACP recognises that individuals have a right to their own religious and cultural beliefs and practices. We will do our best to prevent any form of discrimination, both in employment and service delivery. We will be sensitive to requests from employees wanting time off to participate in religious and cultural events.

ACP will also welcome different kinds of dress that an employee wishes to wear because of their cultural and religious requirements.

**h) SEX DISCRIMINATION ACT 1975 AND 1986**

This Act makes it unlawful to discriminate against a person either directly or indirectly, in the field of employment, unless a GOQ is required in compliance with the Act (For example changing room attendants in the interests of decency and privacy). This Act has been further extended by the Sex Discrimination (Gender Reassignment) Regulations 1999 which offers transsexuals protection from discrimination on the grounds of sex and sexual harassment in employment or vocational training.

ACP recognise that men and women can experience discrimination and prejudice in our society. This can happen in all areas of their lives, and specifically when trying to access education, training, job opportunities and mainstream services.

ACP is committed to doing all it can to provide men and women with equal and inclusive access to employment opportunities and to our services.

**i) EMPLOYMENT EQUALITY (SEXUAL ORIENTATION) REGULATIONS 2003**

The regulations make it unlawful to discriminate on grounds of sexual orientation, whereby sexual orientation is defined as meaning an orientation towards; persons of the same sex, persons of the opposite sex or persons of both the same and opposite sex. Under these regulations, it is also unlawful to victimise an employee who has brought a claim under these Regulations, provided evidence, or who intends to do either of the before mentioned.

Furthermore, it is unacceptable under these Regulations to harass another person on the grounds of sexual orientation.

ACP recognise that many lesbians, gay men and people who are bisexual may be unfairly discriminated against because of their sexuality and that this may mean they do not get equal access to services and job opportunities.

We will make sure that our policies, procedures and practices do not unfairly discriminate against lesbians, gay men and people who are bi-sexual. We will support lesbian, gay and bi-sexual employees so that they can be open about their sexuality should they wish to.

#### **4. Policy Statement**

4.1 ACP is committed to equality and diversity principles and subscribes to the view that equality and diversity are all encompassing principles. By following them it ensures that every person employed and/or receiving a service by this agency has their individual needs comprehensively addressed and is treated equally and without discrimination. This takes place regardless of the individual's disability, race, language, culture, faith, gender, age, marital status, sexual orientation or any other aspect that could result in their being discriminated against purely because they have such characteristics.

4.2 ACP recognises that discrimination can take place in a number of ways and at different levels. It can result from conscious or unconscious attitudes and behaviour. For example, it knows that discrimination can result from:

- Staff abusing their position and power over service users
- Staff holding and communicating prejudicial views and attitudes
- Service users being made to feel ashamed by suggesting they might be unworthy or undeserving in some way
- Staff forming attitudes, perceptions and behaviour based on inaccurate or incomplete knowledge, information or understanding of people who are different from themselves.
- Inappropriate selection, retention and recruitment policies and procedures

4.3 ACP therefore seeks to avoid any form of discrimination being practiced in the service by careful monitoring, supervision and training in these issues.

4.4 ACP does not assume that equality and diversity principles and policies apply only to the service's staff, but to service users, contractors and anyone associated to the service or acting on behalf of the service.

#### **5. Policy Aims**

5.1 ACP approach to equality and diversity aims:

- To ensure that no person applying for a service will be refused admission on discriminatory grounds, e.g. because of their ethnicity, sexual orientation etc., when they meet all other admission criteria

- To ensure its services are not of an inferior quality on account of a service user's ethnicity, sexual orientation or any grounds on which discrimination can occur.
- To work out with each service user and their representatives what they want and need and how she or he will be provided with the required service. This will be influenced by the individual's gender, culture, personal choices and other characteristics and it should not be assumed everyone wants the same thing
- To encourage service users and staff to relate to one another on the basis of equality and respect for individual differences.
- To develop an attitude of self-awareness amongst the organisation's staff and service users to ensure any form of discriminatory behaviour such as offensive or abusive language does not occur, and to communicate that it is unacceptable in whatever form it might take and from whichever person.
- To ensure that service users and organisations staff are continuously aware of the procedures for dealing with complaints and allegations of discriminatory or oppressive language or behaviour.
- To ensure that all complaints and allegations are addressed properly and in non-discriminatory ways.

5.2 **Definition** - Equality and diversity is about accepting and embracing people's differences and creating an environment in which people can thrive. Harnessing differences creates a productive environment in which everyone feels valued, where talents are fully utilised and Organisational goals are met.

- Equality is about treating people fairly and with respect, giving regard for others rights and wishes.
- Diversity is simply human qualities present in other individuals or groups that are different from our own and outside the groups to which we belong and can consist of visible and non-visible differences.

It includes characteristics that are inborn and unchangeable, such as age, ethnicity, gender, physical abilities, qualities, disabilities, race and sexual orientation and includes differences that are acquired and that can change throughout our lives.

- Equal opportunities and diversity work together by addressing the inequalities and barriers faced by people in under-presented groups and by valuing, learning and benefiting from the diverse cultures in society and our staff.

## 6. Policy in Practice

### 6.1 ACP expresses its commitment to equality and diversity by:

- Respecting service people's ethnic, cultural and religious practices.
- Accepting people as individuals.
- Encouraging people to express their individuality and to follow their preferred lifestyle.
- Showing positive leadership and having management and human resources practices that actively demonstrate a commitment to equality and diversity principles.
- Developing an ethos throughout the service that reflects these values and principles.
- Expecting all the service's staff to work to equality and diversity principles and policies and to behave at all times in non-discriminatory ways.
- Providing, training, supervision and support to enable staff to do this.
- Having a code of conduct that makes any form of discriminatory behaviour unacceptable. This is applicable to both staff and service users and is rigorously observed and monitored accordingly.

## 7. Equality and Diversity in Service Provision

### 7.1 Service users and potential service users can expect ACP to aim to: Design and deliver appropriate, accessible and effective services and facilities to all members of the community;

- Provide clear and accessible information about our services, in a variety of appropriate formats and languages which meet the needs of all members of the community;
- Use effective systems for challenging, reviewing and monitoring our service delivery and to ensure that quality and equality are continuously evaluated and improved and to ensure that all sections of the community are receiving fair access and outcomes;
- Ensure that all our employees understand what equality in service provision means by providing specific training;
- Engage with and listen to all sections of the community in identifying needs and in decisions on the way the ACP plan and deliver its services;
- Monitor and evaluate service up-take in relation to age, disability, gender and race.

## 8. Equality and Diversity in Procurement and Contracting

- ACP will ensure that contractors, service users and staff are aware of our position on equality and are clear about their obligation to provide services that are free from discrimination, harassment or victimisation;
- Recognise and promote the application of guidelines and advice, in line with our own contracting procedures;

- Make sure that our selection and tendering processes positively address and include equality considerations that are in line with the procedures mentioned above;
- Provide training for relevant staff in equalities issues for procurement.

## 9. What we expect from our Employees

9.1 Whilst the responsibility for creating and monitoring a culture of equality of opportunity rests with ACP, its success relies on each employee playing their part.

9.2 Employees have a number of responsibilities; many of which are directly related to their jobs, but the following are general instructions that apply to everyone:

- Every employee shall comply with measures that are introduced to ensure equality of opportunity and non-discrimination. Training appropriate to each employee's role will be provided.
- Those individuals responsible for other employees are not to discriminate when applying processes relating to the training, advancement, performance management, transfer, discipline, retirement, dismissal or redundancy, benefits, facilities and services.
- No employee shall induce, or attempt to induce other employees or trade unions or management to discriminate.
- No employee shall victimise an individual on the grounds that they have made complaints or provided information about discrimination or harassment.
- No employee shall harass, abuse or intimidate another employee on any grounds.

## 10. Publicising and Advertising Vacancies

10.1 All vacancies shall first be advertised internally in the first instance; if no internal candidate is appointed then the post shall be advertised externally.

10.2 All recruitment material and processes, including advertisements will be available, or be offered, in a variety of media that reflects the basic requirements of the post. Use shall be made of local media, and job centres.

10.3 Potential applicants shall be given clear and accurate information about posts through a job description and person specification that includes only requirements that are necessary and justifiable for the effective performance for the job.

10.4 Advertisements in printed media shall adhere to clear print guidelines and all recruitment advertisements shall draw attention to ACP being an equal opportunity employer.

**11. Recruitment**

- 11.1 Recruitment practice and procedures shall be as open and as barrier free as possible as per Recruitment and Selection Policy Document ref: ACPHR1001
- 11.2 Application forms and other supporting material shall be free of personal questions or requests for information from which inferences could be drawn as to the status of an individual that are irrelevant to the job description.
- 11.3 Selection criteria shall be kept under review to ensure that they are justifiable for the effective execution of the job.
- 11.4 More than one person shall be involved in shortlisting and selection for interview, and all involved shall have received training in equality and diversity.
- 11.5 No applicant shall be disadvantaged by an interview's timing, location or facilities.
- 11.6 Reasons for selection or rejection of applicants shall be recorded and all applications shall be subject to confidential monitoring system using only the approved form.
- 11.7 Any applicant for a post who wishes to declare that they have a disability and who satisfies the job description and person specification will be offered an interview

**12 Training**

- 12.1 ACPs policy of equality extends to training; this covers its general training programme and training in disability awareness and equality and diversity training.
- 12.2 Each employee has the right to expect not to be unreasonably discriminated against, either directly or indirectly, in the opportunities to be trained, in how it is provided, where it is provided and through what medium
- 12.3 All new employees shall receive training to give them a good understanding of the organisation and its policies and practices.
- 12.4 Appropriate training will be provided to all staff to enable them to perform their jobs effectively and to ensure that they have the best opportunities for advancement.
- 12.5 All staff involved in selection or interviewing shall be required to ensure that appointments are made on an objective basis.

- 12.6 Personnel involved in management, selection and dealing with staff members and the public shall be objective and receive guidance in the law, best practice and Organisational policy, their own personal responsibilities and corporate liability under the law and the nature and effect of both reasonable and unreasonable discrimination.

### **13 Terms and Conditions of Employment**

- 13.1 ACP complies with the Equal Pay Act and is committed to ensuring that they do not unreasonably discriminate against any individual in the terms and conditions, both contractual and implied, within which they offer and provide employment.
- 13.2 Contracts and Terms and Conditions of employment shall be made available in a variety of formats and positive consideration will always be given to requests.

### **14 Monitoring**

- 14.1 The HR Manager is responsible for monitoring the effective implementation of the Equality & Diversity Policy with responsibility for its implementation and supervision within ACP.
- 14.2 All aspects of Personnel policies and procedures shall be kept under review and as part of this, and in order to identify the effectiveness of Policy implementation, an anonymous and confidential record will be maintained giving a profile of ACPS staff make up on gender, race, disability and age.
- 14.3 A voluntary monitoring form shall be issued with every application form with a separate and identifiable envelope for its return with the application.
- 14.4 All applicants' details will be maintained in accordance with the organisations Data Protection Policy Document ref: ACPIMT1001
- 14.5 The Management Team shall ensure that they remain un-opened until a successful appointment has been made. The information will then be logged for monitoring purposes.
- 14.6 The employee audit will be carried out annually, to establish the composition of the work force.
- 14.7 Employees are entitled to access, check, correct and up-date their own record of these details. Otherwise access to this information shall be restricted and controlled by the HR Manager.
- 14.8 Equality impact assessment will be implemented, and all policies will be checked to ensure equality and diversity.

## 15 Responsibility

15.1 All staff have a responsibility to guard against any form of discrimination and avoid any action which goes against the spirit of this policy. Thus, staff at all levels must ensure that there is no discrimination in any of their decisions or behaviour. This includes the provision that all staff must:

- Report any suspected discriminatory acts or practices;
- Not induce or attempt to induce others to practice unlawful discrimination;
- Co-operate with any measures introduced to ensure equality of opportunity;
- Not victimise anyone as a result of them having complained about, reported or provided evidence of discrimination;
- Not harass, abuse or intimidate others.

## 16 Complaints

16.1 If any service user, public or member of staff feels that they have been, or are being discriminated against in any way, such complaint will be taken seriously and dealt with in a timely and sensitive manner.

16.2 Any such complaint should be brought to the attention of the HR Manager or Managing Director who is available for confidential consultation on any issues that concern a client, member of staff or public, relating to discrimination, bullying, harassment or victimisation.