Title of Policy:	**Equality, Diversity & Human Rights – Staff**
Section:	**Human Resources**

Purpose

This policy sets out how Carers Choices promotes equality, diversity and human rights for all staff, students on placement, apprentices and volunteers engaged in delivering our work, whether in a paid or unpaid capacity.

This outlines the commitment of Carers Choices to the concept of equal opportunities and the promotion of inclusivity in all aspects of its operations.

Statement

This commitment applies equally to employees, workers, agency staff, students on placement, apprentices and volunteers. All such individuals are expected to uphold the principles of equality, diversity and human rights in their daily practice and interactions with colleagues and Clients.

Carers Choices recognises its duties under the Equality Act 2010 and the Human Rights Act 1998. We are committed to ensuring that everyone working with or for Carers Choices is treated with dignity, fairness and respect and that their fundamental rights are upheld in all employment-related and working arrangements.

Carers Choices is committed to providing employment, placement and volunteering opportunities on an equal and fair basis. Carers Choices is fully committed to following the codes of practice published by the Equality and Human Rights Commission in respect of its legal obligations. These obligations protect people from unlawful behaviour, such as, for example, discrimination, harassment, or victimisation on the grounds of:

- Age

- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex or gender identity
- Sexual orientation

The above are defined as “protected characteristics” and Carers Choices will seek to establish and maintain fair treatment for everyone who works for Carers Choices, those to whom Carers Choices provides services and those who supply goods and services to Carers Choices. Carers Choices expects everyone associated with the business to behave entirely within the law and gives zero tolerance to inappropriate behaviour. Everyone must be treated fairly, with dignity and with respect.

Carers Choices wishes to refer our staff to the Religion and Belief policy for further guidance on the ways in which we expect staff to respect the religious needs of our service users.

The commitment from every employee in Carers Choices to the aims and ideals of this policy is fundamental to our success and any employee who feels that these ideals are not being adequately followed are required to make their feelings known without delay so that corrective measures, where necessary, can be implemented. Employees who discriminate unfairly may be subject to disciplinary action and sanction, which may include dismissal.

Procedure and Guidance

We recognise that those working in care settings may encounter complex equality and human rights considerations, including balancing individual beliefs with professional responsibilities. Among other useful points of reference, guidance should be sought from our Recruitment and Selection Policy, Equality and Diversity – Disability Policy, Anti-Bullying and Harassment Policy, Grievance Policy, Disciplinary Policy and Data Protection Policies (in particular Data Protection – Staff) where relevant.

Carers Choices will take proactive steps to foster an inclusive working culture. This includes promoting awareness through induction and ongoing training, addressing unconscious bias and ensuring that management decisions relating to recruitment, supervision, appraisal, training and progression are transparent and objectively justified.

Carers Choices' reputation is a key ingredient in relation to whether it is successful or not. Being recognised as both an employer and provider of services on an equal and non-discriminatory basis will help develop and enhance our reputation within the Community we serve.

Equally, the identification, promotion and monitoring of good practice is likely to benefit Carers Choices and result in significant benefits, such as greater employee satisfaction, which in turn helps attract new staff and retain existing staff, leading to reduced recruitment costs and increased productivity.

Forms of Discrimination

Discrimination takes many forms and it is important to understand how the law sees many different forms of discrimination which might occur in the workplace, affecting both Clients and employees of Carers Choices.

The principal forms are:

Direct Discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have or because they associate with someone who has a protected characteristic.

Discrimination by Association

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Discrimination Arising From Disability´.

The clause in the Equality Act 2010 provides that it is discrimination to treat a disabled person in a particular way which, because of his or her disability, amounts to treating him or her badly and the treatment cannot be shown to be justified. For this type of discrimination to occur, the employer or other person must know, or could reasonably be expected to know, that the disabled person has a disability. Also, the person who treats the disabled person in that way may still be liable for discrimination under this provision, whether or not the duty to make reasonable adjustments has been complied with.

The protection by association could have implications in relation to requests for time off or flexible working, parking permits for student parents with disabled children, etc.

Perception Discrimination

This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect Discrimination

Indirect discrimination is when a condition, rule, policy or even a practice applies to everyone, but has a disproportionate impact on people with a protected characteristic. Indirect discrimination can be justified if we can demonstrate that we acted reasonably for a sound business reason: i.e. that it is `a proportionate means of achieving a legitimate aim´.

A legitimate aim might be any lawful decision, but if there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful. Being proportionate really means being fair and reasonable, including showing that we have looked at `less discriminatory´ alternatives to any decision we make.

Harassment

Harassment is "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual´s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual".

Employees are able to complain of behaviour that they find offensive even if it is not directed at them and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

Third Party Harassment

The Equality Act makes us potentially liable for harassment of our employees by people (third parties) who are not employees (for example, contractors or external trainers). Strict requirements for third party harassment means that one-off incidents may still occur without the employee having recourse to complain: we will be liable however when harassment has occurred on at least two previous occasions and we are aware that it has taken place and have not taken reasonable steps to prevent it from happening again.

Victimisation

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Carers Choices' Anti-Bullying and Harassment Policy aims outlines how we prevent and respond to any form of bullying, harassment, or discrimination.

Everyone has the right to feel safe, respected and valued. Any unacceptable behaviour will be taken seriously and dealt with, in line with our procedures.

Carers Choices' Practical Steps to Ensure Fairness

Information and Instruction

Carers Choices will ensure, through the circulation of this policy document, that all employees are made aware of the importance of equal treatment for all, regardless of any particular characteristics they may possess. Carers Choices' Clients will also be made aware of Carers Choices' policy and that whilst Clients may rightfully expect to receive equal treatment from Carers Choices' employees, then they are expected in

turn to treat our employees with the dignity and respect they deserve and in a non-discriminatory fashion. Where further instruction and training is deemed necessary, then Carers Choices will make suitable arrangements.

Recruitment and Management of Staff

Carers Choices reputation should be enhanced where it can demonstrate a clear strategy aimed at encouraging a diverse workforce and one which reflects the local labour market and the diversity of Clients. In order to achieve this goal, Carers Choices will demonstrate a clear understanding of how to avoid discrimination in employment through the creation and use of recruitment tools which:

a) are equally relevant to the widest range of job applicants

b) do not collect data which is not essential to any early recruitment decisions (e.g., call for interview), such as sex, ethnic origin etc.

Job adverts will avoid the use of language which might suggest inappropriate and unlawful intent to discriminate. Such actions will help ensure that selection for employment will be on the basis of aptitude and ability. So as to eliminate possibilities of discrimination or prejudice before interview, employment application forms do not include questions concerning age, race or ethnic origin, creed, colour, religion, sex, political affiliation, parenthood or sexual orientation. Thereafter, employee selection criteria will proceed purely according to the merits and abilities of the applicant to perform the tasks and duties listed in the relevant job description. Employee recruitment and selection procedures are regularly reviewed to ensure that the elements of this Policy are maintained.

Staff will be promoted on their individual ability to do the job and performance. All staff will have equal and fair access to learning and development as identified through their performance appraisal.

All employees should clearly feel that decisions about recruitment, training, development, promotion, or indeed any aspect of their employment are based purely on merit and not as a result of unfair discrimination, although should there be significant imbalances in the workforce, then some form of positive action may be investigated. If an employee feels that they have been treated unfairly in any aspect

of the employment relationship, then they are encouraged to raise the matter with their immediate supervisor or line manager.

Data Protection

It is recognised that upholding Equality and Diversity includes ensuring that personal data is handled in a way that is lawful, fair, transparent and respectful of individual rights, in line with the UK GDPR and the Data Protection Act 2018.

All personal and sensitive information relating to an individual's background or circumstances is processed with strict confidentiality and in accordance with our organisation's data protection standards.

Please refer to our full suite of Data Protection Policies, which provides a robust overview of our processes in this regard.

Accessible Information

The Equality, Diversity and Human Rights Policy should be read alongside the Accessible Information Policy which defines how The Service ensures that information is provided in formats that meet an individual's communication needs.

People With a Disability

Carers Choices attaches particular importance to the needs of disabled people and will:

- make reasonable adjustments to maintain The Services of an employee who becomes disabled, for example, training, provision of special equipment, reduced working hours etc.
- include disabled people in training/development programmes.
- give full and proper consideration to disabled people who apply for jobs, having regard to making reasonable adjustments for their particular aptitudes and abilities to allow them to be considered equally and fairly alongside all other candidates.

In order to ensure that all possible reasonable adjustments are made to the method of service delivery, we will at the first instance ensure that the care plan that is devised in cooperation with the local authority reflects the individuals needs and describes the manner in which The Service should be delivered to meet those needs equitably. We will also ensure that where an occupational therapist or physiotherapist can offer constructive input into mobility aids or other environmental or practical adjustments to ensure that equality, we will gain that information and refer to their reports and guidance and act accordingly.

Monitoring and Review

Monitoring will include consideration of workforce data relating to staff, students, apprentices and volunteers, feedback mechanisms, supervision discussions and exit interviews where applicable. Findings will inform continuous improvement and action planning.

Carers Choices understands that it is important to be able to confirm that its policy is being followed appropriately and will monitor this through appropriate means, such as the collection of key data, discussions with employees and Clients, monitoring and review of complaints, or expressions of dissatisfaction, modelling attitude surveys to determine Client and employee responses to equality and diversity issues in quality audits etc. Where improvements need to be made, then an action plan will be developed and implemented.

In order to ensure a fair working environment for all employees, discrimination or harassment (physical or verbal conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment) will not be tolerated within Carers Choices. Carers Choices provides facilities for any employee who believes that he or she has been treated unfairly within the scope of this policy to address the matter through a documented and established grievance procedure. Each complaint will be thoroughly investigated and where it is identified that an individual has treated a colleague unfairly, they will be subject to Carers Choices' disciplinary procedure.

This policy statement will be kept under systematic and regular review by the most Senior Manager (or other nominated individual) so as to ensure that it remains consistent with legal imperatives and good practice.

CQC Registration and Inspection Compliance

Key Questions and Quality Statements applicable to this Policy	Care Quality Commission (Registration) Regulations 2009 applicable to this Policy
Well-Led • Governance, management and sustainability • Learning, improvement and innovation	

Legislative Compliance

Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 applicable to this Policy	Other legislation relevant to this Policy
Regulation 18: Staffing	Data Protection Act 2018 Equality Act 2010

Policy Reviewed on Date of Implementation by the Following Company Officer:

Full name:

Paul Ramsden

Job Title:

CEO

Signature:

P. Ramsden