

Equal Opportunities Policy

Health and Social Care Act 2008 (Regulated Activities) Regulations 2014	10, 17, 18
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CQC Single Assessment Framework Topics

Safe Topic Areas:

Safe and effective staffing

Caring Topic Areas:

Workforce well-being and enablement

Responsive Topic Areas:

Care provision, integration, and continuity

Well-led Topic Areas:

Shared direction and culture

Workforce equality, diversity and inclusion

Governance, management and sustainability

Please see the 'Quality Statements' section for full guidance

Scope

The Equality Act 2010 is an important piece of legislation which aims to provide equal opportunities no matter an individual's protected characteristics. The organisation is committed to recruiting and employing the best staff with a focus on their skills, values, qualifications and commitment to providing safe, caring, responsive, effective and well-led care and support to our Service users. The organisation aims to employ quality people who represent the diverse nature of the community we serve.

Equality Statement

This policy demonstrates our commitment to creating a positive culture of respect for all individuals. The intention is, as required by the Equality Act 2010, to identify, remove or minimise discriminatory practice in the nine named protected characteristics of age, disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership. It is also intended to reflect the Human Rights Act 1998 to promote positive practice and value the diversity of all individuals.

Key Points

- Discrimination occurs when someone is treated less favourably than another person because of a 'protected characteristic' they have or are thought to have (see 'perception discrimination' below) or because they associate with someone who has a 'protected characteristic.'
- The nine protected characteristics are:
 - Age
 - Disability
 - Gender Reassignment
 - Marriage and Civil Partnership
 - Sex
 - Sexual Orientation
 - Race
 - Religion
 - Pregnancy and Maternity
- Discrimination is unacceptable and equality of opportunity has been a long-standing feature of our employment practices and procedures.
- The policy will be implemented in accordance with the appropriate statutory requirements and full account will be taken of all available guidance and, in particular, any relevant codes of

practice.

- The organisation will treat any discriminatory behaviour by staff or management as gross misconduct and will deal with it under the organisation's disciplinary policies.
- Managers and care staff will receive training on what unconscious bias is, and how to ensure it does not affect their judgements and decisions while undertaking their role.
- The organisation will undertake regular monitoring of equal opportunities and equality and diversity to ensure that staff and the service are compliant with policies and procedures, guidance, regulations and legislation.

Policy Statement

The organisation recognises that discrimination is unacceptable and, although equality of opportunity has been a long-standing feature of our employment practices and procedure, we have made the decision to adopt a formal equal opportunities policy. Breaches of the policy will lead to disciplinary proceedings and, if appropriate, disciplinary action.

The Policy

The aim of the policy is to ensure no job applicant, employee or worker is discriminated against either directly or indirectly on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation.

The organisation will ensure that the policy is circulated to any agencies responsible for our recruitment, and a copy of the policy will be made available to all employees and applicants for employment.

The policy will be communicated to all private contractors reminding them of their responsibilities towards the equality of opportunity.

The policy will be implemented in accordance with the appropriate statutory requirements and full account will be taken of all available guidance and, in particular, any relevant codes of practice.

The organisation will maintain a neutral working environment in which no employee or worker feels under threat or intimidated.

Organisational Responsibilities

We will, as an organisation and management team, ensure that we:

- Take action to continually review and improve the culture of the organisation in the context of equality, diversity and inclusion.
- Act to improve where there are any disparities in the experience of staff with protected equality characteristics, or those from excluded and marginalised groups. All interventions will be monitored to evaluate their impact.
- Take steps to remove bias from practices to ensure equality of opportunity and experience for the workforce within their place of work, and throughout their employment.
- Check accountability including ongoing review of policies and procedures to tackle structural and institutional discrimination and bias to achieve a fair culture for all.
- Take action to prevent and address bullying and harassment at all levels and for all staff, with a clear focus on those with protected characteristics under the Equality Act and those from excluded and marginalised groups.
- Make reasonable adjustments to support disabled staff to carry out their roles well.
- Take active steps to ensure staff and leaders are representative of the population of people using the service.
- Ensure there are effective and proactive ways to engage with and involve staff, with a focus on hearing the voices of staff with protected equality characteristics and those who are excluded or marginalised, or who may be least heard within their service. Also ensure that staff feel empowered and are confident that their concerns and ideas result in positive change to shape services and create a more equitable and inclusive organisation.

Equal Opportunities for Staff

The organisation aims to ensure that all staff are treated fairly and that diversity is celebrated within the service.

Staff will be recruited in line with [safer recruitment practices](#) and the Equality Act 2010, with equal opportunities no matter an individual's protected characteristics.

The organisation is committed to recruiting, employing and developing the best staff with a focus on their skills, values, qualifications and commitment to providing safe, caring, responsive, effective, well-led care and support to our Service users. The organisation aims to employ quality people who represent the diverse nature of the community we serve.

This policy sets out the principles of recruitment and selection of staff in line with the Equality Act 2010.

The 'Recruitment Policy' details staff selection in line with safer recruitment practices and compliance with the [Health and Social Care Act 2008 \(Regulated Activities\) Regulations 2014](#), especially Schedule 3, 4 and Regulations 18 and 19.

Recruitment and Selection

The recruitment and selection process is crucially important to any equal opportunities policy. We will endeavour, through appropriate training, to ensure that employees making selection and recruitment decisions will not discriminate, whether consciously or unconsciously, in making these decisions.

- Promotion and advancement will be made on merit and all decisions relating to this will be made within the overall framework and principles of this policy.
- Job descriptions, where used, will be revised to ensure that they are in line with our 'Equal Opportunities Policy.' Job requirements will be reflected accurately in any personnel specifications.
- We will adopt a consistent, non-discriminatory approach to the advertising of vacancies.
- We will not confine our recruitment to areas or media sources which provide only, or mainly, applicants of a particular group.
- All applicants who apply for jobs with us will receive fair treatment and will be considered solely on their ability to do the job.
- All employees involved in the recruitment process will periodically review their selection criteria to ensure that they are related to the job requirements and do not unlawfully discriminate.
- Short listing and interviewing will be carried out by more than one person where possible.
- Interview questions will be related to the requirements of the job and will not be of a discriminatory nature.
- We will not disqualify any applicant because he/she is unable to complete an application form unassisted unless personal completion of the form is a valid test of the standard of English required for the safe and effective performance of the job.
- Selection decisions will not be influenced by any perceived prejudices of other staff.

Training and Promotion

- Senior staff will receive training in the application of this policy to ensure that they are aware of its contents and provisions.
- All promotion will be in line with this policy, i.e. based on merit, skills and capability.
- All recruitment staff will be trained in safer recruitment and equal opportunities, including the Equality Act 2010.

Unconscious Bias

People's life experiences and upbringing can affect how they treat people and sometimes they have beliefs and views about other people that might not be right or reasonable.

This is 'unconscious bias' and includes when a person thinks:

- Better of someone because they believe they are alike or from the same/similar culture or background.
- Less of someone because that person is different to them, for example, they might be of a different race, religion, have a disability or age.

This means they could make a decision influenced by false beliefs or assumptions. Another term which is often used is 'stereotyping.'

We can all think like this and suffer from unconscious bias at some point, but it is important to be aware of it and not let it affect behaviour or decisions.

There are limited circumstances in law where employers and employees can make decisions about job applicants or staff based on a protected characteristic. Where this is not allowed in law, doing so could lead to a discrimination claim to an employment tribunal.

Recruitment staff, managers and care staff will receive training on what unconscious bias is, and how to ensure it does not affect their judgements and decisions while undertaking their role.

Ways to Avoid Unconscious Bias

The organisation will support staff to avoid unconscious bias through a range of activities, including:

- Training in equal opportunities and equality and diversity.
- Discussion of unconscious bias at staff meetings, supervisions and in training sessions.
- Observation of staff in the work environment to ensure staff are following policies and procedures and their training.
- Making staff and managers aware of unconscious bias, and how to recognise it and to remove it from their decision making.
- Advertising a job vacancy in at least two different locations to reach a wider range of people from different backgrounds.
- Encouraging recruiting staff, managers and care staff to agree to make each other aware if they notice stereotyping or unconscious bias.
- Holding back some details on job application forms, such as the applicant's name or sex (this is called 'blind sifting'), that could affect recruiting managers' opinions.
- Considering having one of the interviewers on the phone so they do not make decisions based on the physical appearance of the person being interviewed.

- At each stage, having more than one person sifting job applications, interviewing the applicants and deciding who gets the job.
- Allowing time to make decisions, for example on recruitment, promotions or grievance and disciplinary outcomes.
- Keeping a written record of interview questions, answers and why decisions were made.

Monitoring

We will maintain and review the employment records of all employees in order to monitor the progress of this policy.

Monitoring may involve:

- The collection and classification of information regarding the race in terms of ethnic/national origin and sex of all applicants and current employees,
- The examination by ethnic/national origin and sex of the distribution of employees and the success rate of the applicants, and
- Recording recruitment, training and promotional records of all employees, the decisions reached and the reason for those decisions.

The organisation will use a range of activities to monitor the service's compliance with human rights, equality and diversity guidance, regulations and legislation, as well as the [Public sector equality duty](#). These monitoring activities will be used to ensure that all people who come into contact with our services are treated appropriately and are not discriminated against because of a protected characteristic or their standing in society.

The monitoring activities will be used to develop a continuous improvement plan, which will be reviewed in line with the 'Plan, Do, Check, Act' cycle.

The organisation will undertake the following activities to monitor the services related to equality and diversity:

- Service User and stakeholder engagement and feedback.
- Staff supervisions and spot checks.
- Complaints/compliments.
- Audits, e.g. recruitment activity and equality and diversity monitoring etc.
- Staff meetings.
- Training and competency assessment.

Please see example monitoring form from ACAS: ['Equality and diversity monitoring form template \(Word version, 39KB\).'](#)

These activities will be used to identify good and poor practice in line with equal opportunities. Good practice will be congratulated and shared with staff, and poor practice will be challenged, and action plans put in place to improve the service.

The results of any monitoring procedure will be reviewed at regular intervals to assess the effectiveness of the implementation of this policy. Consideration will be given, if necessary, to adjusting this policy to afford greater equality of opportunities to all applicants and staff.

Monitoring will be reported to senior management on a quarterly basis, who will review and discuss the progress the organisation has made.

Complaints

The organisation has in place policies and procedures for:

- Complaints,
- Whistleblowing,
- Bullying and Harassment
- Safeguarding Adults,
- Safeguarding Children in an Adult Setting,
- Grievance, and
- Disciplinary.

These, and a suite of other policies and procedures, are available to ensure staff are able to raise concerns to the organisation and public bodies where they have issues with the service and staff conduct, including concerns under the Equality Act 2010 and the protected characteristics.

These policies and procedures are made available to all staff to support them in knowing how to raise concerns to management, as well as to external bodies who can support them if they do not wish to raise concerns directly with the company, e.g. whistleblowing concern for discrimination.

Staff supervision and spot checks are also used to identify poor staff practice, and to put in place actions to improve services, e.g. retrain staff, additional supervisions and spot checks.

The organisation will support staff to raise concerns and complaints, and will work in an open, honest and transparent manner to investigate, resolve and continuously improve services. The organisation will always act to protect the person raising the concern or complaint from bullying, harassment and discrimination, e.g. suspending staff who are being investigated for misconduct.

Working with Local Authorities and/or the NHS

Where the organisation provides services through a contract with the local authority and/or NHS, the management and staff will comply with the relevant aspects of the [public sector equality duty](#), as set out in the organisation's contract with these bodies.

The organisation will work with the local authority and/or NHS to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The organisation will aim to provide relevant information requested by the local authority and/or NHS to support them in their statutory reporting duties.

Individuals in our Care

Employees will not discriminate against Service users on the grounds of race, nationality, gender, religion and beliefs, age, sex, special orientation or social standing. Service users should not be discriminated against whether they pay for our service or it is publicly funded.

Please refer to our 'Equality and Diversity Policy.'

References and Further Reading

[Protected Characteristics, Equality and Human Rights Commission](#)

[Equality Act Codes of Practice, Equality and Human Rights Commission](#)

[Equality and Diversity, Skills for Care](#)

[The Human Rights Act, Equality and Human Rights Commission](#)

[Discrimination: your rights](#)

[Advice and Guidance for Small Businesses, Equality and Human Rights Commission](#)

[Age Discrimination, Equality and Human Rights Commission](#)

[Devon Equality Guide](#)

[List of religions and spiritual traditions](#) (please note as this is a Wikipedia reference, and as such does not have peer review)

[Equality and diversity monitoring form template \(Word version, 39KB\)](#)

[Public sector equality duty](#)

[Health and Social Care Act 2008 \(Regulated Activities\) Regulations 2014](#)

[New hiring toolkit supports care providers with safer recruitment](#)

Quality Statements

Safe and effective staffing

We make sure there are enough qualified, skilled and experienced people, who receive effective support, supervision and development. They work together effectively to provide safe care that meets people's individual needs.

Workforce well-being and enablement

We care about and promote the well-being of our staff, and we support and enable them to always deliver person-centred care.

Care provision, integration, and continuity

We understand the diverse health and care needs of people and our local communities, so care is joined-up, flexible and supports choice and continuity.

Shared direction and culture

We have a shared vision, strategy and culture. This is based on transparency, equity, equality and human rights, diversity and inclusion, engagement, and understanding challenges and the needs of people and our communities in order to meet these.

Workforce equality, diversity and inclusion

We value diversity in our workforce. We work towards an inclusive and fair culture by improving equality and equity for people who work for us.

Governance, management and sustainability

We have clear responsibilities, roles, systems of accountability and good governance. We use these to manage and deliver good quality, sustainable care, treatment and support. We act on the best information about risk, performance and outcomes, and we share this securely with others when appropriate.

[Key questions and quality statements - Care Quality Commission](#)