

Equality and Diversity Policy & Procedure

1. Background

This purpose of this policy is to outline HWK's (hereafter HWK) commitment to ensuring equality of opportunity and equal treatment for all staff, volunteers (affiliates and active affiliates) and the Board of Trustees in terms of employment and access to services and to provide guidance on anti-discriminatory practice. This policy is a statement of intent and will be implemented as a procedure.

2. Legal Framework

HWK shall act in accordance with the following legislation:

- Equalities Act 2010

3. Scope

The policy applies to employees directly employed by HWK, to workers employed via agencies, contractors in terms of employment, trustees, volunteers (affiliates and active affiliates), service users and the general public in terms of service provision. The policy applies specifically to discrimination and equality of opportunity in respect of 'protected characteristics' as defined in the Equalities Act 2010:

- (a) Age
- (b) Disability
- (c) Race
- (d) Sex
- (e) Religion or cultural beliefs
- (f) Gender reassignment
- (g) Marital status and civil partnership
- (h) Sexual orientation
- (i) Pregnancy and maternity

HWK's commitment to anti-discriminatory practice relates to any type of discrimination, as set out in the glossary at the end of this document.

4. Responsibilities

HWK values its Board of Trustees, staff, volunteers (affiliates and active affiliates), and expects them to be treated in a respectful manner. Accordingly, everyone has a responsibility to treat others with dignity and respect. HWK's Manager is responsible for providing advice and guidance on equality and diversity issues, and to ensure this policy is amended in line with new developments in Equality and Diversity law and good practice guidance.

5. Aims

HWK is committed to valuing diversity and working with equality as a core value. HWK aims to:

- Promote equality of opportunity
- Celebrate and value diversity

- Eliminate unlawful direct and indirect discrimination

HWK will provide equality of opportunity and equal treatment as an integral part of good practice. The organisation is committed to a working environment in which the contribution and needs of everyone are fully valued and recognised. HWK will support the Board of Trustees, staff and volunteers (affiliates and active affiliates) in not tolerating any inappropriate, violent or abusive behaviour from colleagues, other organisations or clients.

6. General Purpose

HWK practices will ensure that Board of Trustees, staff and volunteers (affiliates and active affiliates) and the general public will not be discriminated against on any grounds including age, disability, race, sex, religion or cultural beliefs, gender reassignment, marital status and civil partnership, sexual orientation, pregnancy and maternity.

7. Procedure

7.1 Principles

HWK fully supports the principles of equality and diversity. It aims to encourage, value and manage diversity and recognises that talent and potential are distributed across the population. Not only are there moral and social reasons for promoting equality of opportunity, it is in the best interest of this organisation to recruit and develop the best people for our jobs from as wide and diverse a pool of talent as possible.

HWK recognises that certain groups and individuals in society are oppressed and disadvantaged due to discrimination directed against them. In all its work, HWK will work to remove any barriers, bias or discrimination that prevents individuals or groups from realising their potential and contributing fully to our organisation's performance and to develop an organisational culture that positively values diversity.

When listening to communities and individuals HWK will make every effort to understand the context in which people live their lives. Where understanding is more difficult HWK's Board of Trustees, staff and volunteers (affiliates and active affiliates) will be supported in respectfully seeking information.

Those people experiencing discrimination may experience particular issues when accessing health and social care services. When working with partner organisations HWK will be aware of discriminatory practice and how this may manifest itself. The Board of Trustees, staff and volunteers (affiliates and active affiliates) will be supported in bringing any issues to the attention of partner organisations. Whenever practical and possible, HWK will support public sector organisations in undertaking **Equality Impact Assessments**.

Discrimination operates through commonly held assumptions and prejudices, which are reinforced by laws, rules and customs. This makes discrimination appear normal and inevitable. Discrimination works by stereotyping people into different roles, by treating some people worse than others, or simply by ignoring them.

All forms of discrimination are unacceptable, regardless of whether there was any intention to discriminate or not. The Board of Trustees, staff and volunteers (affiliates and active affiliates) have a duty to co-operate with HWK to ensure that this policy is effective in ensuring equal opportunities and in preventing discrimination. The Board of Trustees, staff and volunteers (affiliates and active affiliates) should draw the attention of the Chair of the Board of Trustees or the Manager of HWK to suspected discriminatory acts, practices or cases of bullying or harassment.

HWK recognises that the promotion of equal opportunities requires more than passive opposition to discrimination; it is therefore committed to taking positive action towards equality of opportunity, recognising that the limited resources and the operational needs of the organisation may impose justifiable restrictions upon our ability to take such action.

7.2 Practice

HWK aims to promote equality and diversity as an employer and to ensure that no job applicant, volunteer applicant or employee receives less favourable treatment or is disadvantaged by conditions or requirements that cannot be shown to be justifiable in the context of the policy.

Selection, recruitment, training, promotion and employment practices will be subject to regular review to ensure that they comply with this policy. All training opportunities will be published widely to all appropriate employees and not in such a way so as to exclude particular groups.

HWK regards discrimination, abuse, harassment, victimisation or bullying of staff, volunteers (affiliates and active affiliates), clients or others in the course of work as disciplinary offences that could be regarded as gross misconduct.

7.3 Access

In developing its services and publicity materials, HWK will seek to ensure that access is equitable for all. This will include, wherever practicable, making specific access arrangements for people with disabilities or learning difficulties, or any other protected characteristic which may apply, such as religion and belief. HWK will attempt to ensure that none of its policies discriminate directly or indirectly against any group or individual.

7.4 Complaints

HWK will treat seriously any complaints of unlawful discrimination on any of the stated grounds made by the Board of Trustees, staff and volunteers (affiliates and active affiliates) or third parties and will take action where appropriate.

All complaints made by external parties will be investigated in accordance with HWK's Complaints Policy & Procedure. In the event of an investigation concerning a complaint against an employee, Parkwood's Grievance Policy and Procedure will be followed and any action necessary dealt with under the Disciplinary Procedure.

8. Glossary

8.1 Protected Characteristics

The protected characteristics as listed in the Equality Act 2010 are sex, sexual orientation, marriage or civil partnership, gender reassignment, race, religion or belief, age, disability, pregnancy and maternity.

8.2 Disability

Under the Equality Act 2010, a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

8.3 Gender reassignment

A transsexual person is someone who proposes to, starts or has completed a process to change his or her gender. The person does not have to be under medical supervision.

8.4 Race

Race includes colour, nationality and ethnic or national origins. A racial group can be made up of two or more different racial groups (e.g. Black Britons).

8.5 Religion or belief

Under the Equality Act 2010, religion includes any religion. It also includes lack of religion, in other words employees or jobseekers are protected if they do not follow a certain religion or have no religion at all. Additionally, a religion must have a clear structure and belief system. Belief means any religious or philosophical belief or a lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour.

8.6 Sexual orientation

Includes bisexual, gay, heterosexual, and lesbian people.

8.7 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 (see perceptive discrimination below), or because they associate with someone who has a protected characteristic (see associative discrimination below).

8.8 Associative discrimination

This is direct discrimination against someone because they are linked or associated with another person who possesses a protected characteristic.

8.9 Perceptive 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.

8.10 Indirect discrimination

Indirect discrimination can occur when you have a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages people who share a protected characteristic and which cannot be justified in relation to the job.

8.11 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”.

8.12 Third party harassment

Harassment of employees by people (third parties) who are not employees of your company, such as clients. HWC has a duty to prevent harassment and may be liable if aware that harassment has occurred on at least two previous occasions and does not take reasonable steps to prevent it from happening again.

8.13 Victimization

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

8.14 Positive action

Some people with protected characteristics are disadvantaged or under- represented in some areas of life, or have particular needs linked to their characteristic. They may need extra help or encouragement if they are to have the same chances as everyone else. The new positive action provisions held within the Equalities Act 2010 enable service providers to take proportionate steps to help people overcome their disadvantages or to meet their needs.

9. Document Control

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