



# Equality and Diversity Policy

This document aims to set out Bedfordshire Northamptonshire Cambridgeshire and Hertfordshire Community Rehabilitation Company Limited (BeNCH)'s approach to promoting equality and diversity in relation to employment, service delivery, procurement, and the engagement of contractors and partner agencies.

Its purpose is to ensure that no individuals or groups receive less favourable treatment either directly or indirectly.

<b>Key Words:</b>	Equality, Diversity, Human Rights, Protected Characteristics, Public Sector Equality Duty, Due Regards, Equality Objectives, Discrimination
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<b>Expiry Date:</b>	<b>Remains subject to review to ensure BeNCH CRC compliance with equalities duties.</b>
<b>Target Audience:</b>	BeNCH CRC employees, external stakeholders, service users, victims, general public

# 1 INTRODUCTION

- 1.1 BeNCH CRC is wholly committed to the elimination of any form of discrimination within all aspects of its work. It values people and believes in working together, in sharing problems and conflicts and resolving them in an atmosphere of partnership, both within the service and outside.
- 1.2 Our policies and practices are directed at providing the highest quality of service for all users. This means we will work hard to create an environment that empowers all members of BeNCH CRC, service users, victims and the general public and that we will challenge all members of BeNCH CRC working for or with us or receiving the services provided by whenever discrimination is identified.
- 1.3 This policy takes into account the provisions of the Equality Act 2010 and advances equality of opportunity for all. BeNCH CRC is committed to ensuring that no employee, potential employee, service user, victim or member of the public will receive less favourable treatment due to their race, religion or belief, disability, age, sexual orientation, sex, marriage or civil partnership, pregnancy or maternity or gender reassignment.
- 1.4 In carrying out its functions, BeNCH CRC must have due regard to the different needs of individuals or groups with different protected characteristics within the communities that we represent. This applies to all the activities for which BeNCH CRC is responsible, including policy development, review and implementation.
- 1.5 **Definitions That Apply to this Policy:**

Due Regard	Having <b>due regard</b> for advancing equality involves; <ul style="list-style-type: none"><li>• Removing or minimising disadvantages suffered by people due to their protected characteristics.</li><li>• Taking steps to meet the needs of people from protected groups, where these are different from the needs of other people.</li><li>• Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.</li></ul>
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Diversity	<b>Diversity</b> is recognising and accepting an individual's social identity and creating an environment where everyone is enabled to develop to their full potential, by valuing that everyone has a contribution to make, which is beneficial both for the individual, BeNCH CRC and wider society.
Equality	<b>Equality</b> within BeNCH CRC represents breaking down barriers, eliminating discrimination and ensuring equality of opportunity and access for all both in employment and the delivery of services; the basis of which is supported by legislation.
Equality and Diversity	<b>Equality and Diversity</b> are not inter-changeable but inter-dependent. By valuing and harnessing the varying experiences, skills and knowledge of our staff and communities we are able to provide an equitable service to all staff and service users.
Human Rights	<b>'Human Rights'</b> are the basic rights and freedoms that belong to every person in the world. They are the fundamental things that human beings need in order to flourish and participate fully in society. They cannot be given away or taken away from you by anybody – although some rights can be restricted or limited in certain circumstances. For example, your right to liberty (Article 5, European Convention on Human Rights) can be restricted if you are convicted of a crime.
Protected Characteristics	This policy is intended to protect employees and service users from unfair treatment, regardless of their background. Our definition of <b>'protected characteristics'</b> is based on those set out in the Equality Act 2010. The nine protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

<p>Public Sector Equality Duty (PSED)</p>	<p>BeNCH CRC is subject to the <b>PSED Sections 149 and 150</b>.  The PSED is set out in section 149(1) of the Equality Act 2010. It requires a public authority, in the exercise of its functions, to “have due regard to the need to-</p> <ul style="list-style-type: none"> <li>• eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under [the Equality Act];</li> <li>• advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</li> </ul> <p>foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”</p>
<p>PSED Section 149 (2)  PSED Section 150 (5)</p>	<p><b>Section 149(2)</b> provides that “a person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1)”. This brings private or voluntary sector bodies within the scope of the duty where they are carrying out public functions under statutory provisions or contractual arrangements. A public function is defined in <b>Section 150(5)</b> as “a function that is a function of a public nature for the purposes of the Human Rights Act 1998”.</p>

## 2 RESULTS

- 2.1 BeNCH CRC recognises its responsibility to ensure that no one involved with the provision of its service unlawfully discriminates against service users, victims and their families on the grounds of any of the Protected Characteristics as provided for under the Equality Act 2010.
- 2.2 BeNCH CRC recognises that the experiences and needs of every individual are unique and strives to value and respect the diversity of its staff, service users, partners and the public.
- 2.3 This policy sets out our guiding principle for the promotion of Equality, Diversity and Human Rights in relation to employment, service delivery, procurement, partnership and policy development. The Principles of Equality and Diversity will underpin all policy and practice decisions by analysis of their impact on the general equality duties.
- 2.4 Equality of opportunity will be applied by ensuring that:

**2.5** The Trust has an ongoing equality programme of work, which includes equality objectives across all functions, and this work is quality assured by the **Equality Strategy Group (ESG)**,

- All policies, strategies, service redesign and commissioned services undergo an equality analysis (due regard) including consultation with relevant parties at the start of the development process, and the outcomes of these are implemented.
- All staff receive equality, diversity and human rights skills development through a structured scheme of training from induction, through staff briefings, face to face and e-learning as appropriate for their role and function.
- The Principles of Equality, Diversity and Human Rights are at the core of all policy and service delivery developments.
- There are effective and sensitive staff support and complaints mechanisms in place should staff or service users feel they have experienced discrimination.
- Workforce, service user, victim and complaints data is monitored and published by BeNCH CRC in accordance with its duties under the Equality Act 2010.

### **3 APPROACH**

**3.1** This policy will be implemented by all employees of BeNCH CRC staff (engaged through, or by, an employment agency or bureau and supplied to BeNCH CRC on a temporary basis), and all prospective job applicants.

**3.2** Every employee is required to assist BeNCH CRC to meet its commitment to provide equal opportunities in employment and service delivery, thereby avoiding unlawful discrimination.

**3.3** Specific roles and responsibilities are outlined in the following paragraphs;

**3.4** **The Board has overall corporate** responsibility for:

- Ensuring the organisation has equality objectives that meet the requirements of the PSED as set out under the provisions of the Equality Act 2010
- Supporting and evaluating the implementation of the policy
- Making sure there are adequate resources to deliver a programme which enables BeNCH CRC to meet its statutory duties.
- Reviewing and approving the annual report

**3.5 The Chief Executive has responsibility for:**

- The overarching leadership and delivery of the aims and objectives of this equality policy
- Holding the management team accountable for delivering a fair, equitable and inclusive organisation.
- Ensuring reasonable steps are taken to prevent unlawful discrimination

**3.6 The strategic management team is responsible for:**

- Ensuring that other BeNCH CRC organisational policies are consistent with and adhere to the policy
- Ensuring that the tools and support necessary for managers for effective implementation of this policy are available and accessible
- Ensuring that recruitment and selection processes do not allow discrimination except for substantive, legitimate and proportionate reasons that relate to the requirement of the job.

**3.7 The Director of Resources is responsible for:**

- Ensuring that BeNCH CRC meets its specific employment duties requiring the monitoring of staff and service users by protected characteristics through rigorous collection of data, analysis of data and the publication of relevant data and information for public access.
- BeNCH CRC publishes the results of its monitoring annually, highlighting any areas of potential or actual inequality, so that BeNCH CRC can take the necessary remedial action
- Ensuring that all recruitment and selection processes, including the materials, which support them, are free from bias
- Ensuring that complaints of discrimination or harassment between employees of BeNCH CRC or by service users are appropriately and independently investigated and resolved.

**3.9 Line Managers are responsible for:**

- Ensuring that there are no breaches of this policy in their own areas of responsibility and influence and that the policy is appropriately communicated to all in their own areas of responsibility and influence.
- Those who commission and contract services are responsible for bringing this policy to the attention of contractors and providers.
- All managers also have a duty to establish and maintain an environment free of harassment.

- Managers should ensure that third parties (such as service users, victims) are made aware of BeNCH CRC Policy and are clearly informed that discrimination, harassment and victimisation towards staff will not be tolerated.

**3.10 All staff, contractors, partners are responsible for:**

- Ensuring that the equal opportunity policy is appropriately communicated to service users, victims and any other service users
- Ensuring that all services delivered reflect the policy
- Co-operating with measures introduced by BeNCH CRC to ensure equality of opportunity, diversity and inclusion
- Ensuring that all activities and materials are free from bias and discrimination and do not make an individual feel bullied, harassed victimised directly or indirectly
- Ensuring that all their behaviour is consistent with the values of this policy.

**3.11 Service Users/Service users/Victims/Visitors will be expected to:**

- recognise and comply with the principles set out in this policy whilst on BeNCH CRC premises or whilst receiving a service/support. Information to this effect will be available in an accessible format in all premises.
- be respectful to all staff, other service users
- be challenged about their behaviour should they be verbally or physically abusive or make derogatory statements that are of a discriminatory nature to any member of staff or service user whilst on BeNCH CRC premises.

BeNCH CRC will consider issues such as any learning disability, mental health at this time before any actions are taken.

**4 DEPLOYMENT**

- 4.1** BeNCH CRC will undertake to provide adequate training for all staff in order to facilitate their knowledge of equality, diversity and human rights legislation this will enable staff to comply with the implementation of this policy.
- 4.2** All applicants for employment will be sent a copy of this policy and it will form part of their induction pack and process if successfully appointed.

## **5 ASSESSMENT AND REVIEW:**

- 5.1** BeNCH CRC will establish an Equality Strategy Group that is embedded in the governance arrangements for the organisation. The Equality Strategy Group is responsible for driving the equality and diversity agenda forward and progress is reported to the BeNCH CRC Board. via the Director of Resources
- 5.2** The effectiveness of this policy will be monitored and reported on through the annual equality report, based on performance against equality objectives and actions outlined in the equality work plan and related equality and diversity processes.
- 5.3** The Equality Strategy Group and Human Resources department have a responsibility for ensuring the maintenance, regular review and updating of this policy as a part of its integrating equality and diversity commitment.
- 5.4** An Equality Impact assessment of this policy will be completed and published alongside this policy.
- 5.5** The policy will be reviewed no later than July 2015.