

Equality and Diversity Policy



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Date when last reviewed	September 2019
Date when next review due	September 2021
Author	Chris Rugg
Approved by:	Board
Date of approval:	September 2019
This policy applies to:	All Staff and Volunteers in Mind in Somerset
Equality Impact Assessment	See Appendix A for Initial Screening

Summary of Changes	Name/Amendment date
Change to Mind in Somerset heading	March 2019
New Equality and Diversity statement added	September 2019
Transferred to Mind in Somerset format	November 2019

Policy Statement

Mind in Somerset is committed to creating a safe environment in which people are recognised and valued. We recognise individual differences, needs, and value diversity among our workforce and client groups, and are committed to providing equality of opportunity. We strive to develop a culture in which any form of discrimination is unacceptable and where individuals are confident enough to bring complaints without fear.

As an employer and provider of service to the community, Mind in Somerset accepts the responsibility to promote equal opportunities and challenge discrimination wherever it occurs.



Mind in Somerset will bring to the attention of all employees, job applicants, volunteers and clients the existence of this policy, and will provide such training as is necessary to ensure that the policy is effective and that everyone is aware of it. Reference to the policy will be included in contract documents with outside agencies.

Everyone is entitled to a working environment where we:

- a) Promote dignity and respect to all
- b) Recognise and value individual differences and contributions
- c) Do not tolerate any form of discrimination, intimidation, victimisation, bullying or harassment
- d) Make decisions on merit
- e) Ensure all people are able to give their best

Every effort will be made to ensure that all practices and procedures follow and exceed the legal requirements and good practice as recommended by the Equality and Human Rights Commission (EHRC).

The policy will be monitored and reviewed annually and Mind in Somerset will promote awareness of the policy.

Aim of the Policy

The purpose of this policy is to promote equality, value diversity, ensure fairness, justice and equality of access and opportunity. We aim for our workforce to be representative of the communities within which we deliver our services and that each employee, volunteer and trustee is able to give their best and ensure each service user feels respected.

Mind in Somerset opposes all forms of unlawful and unfair discrimination and is committed to eliminating discrimination on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief (including lack of belief), sex and sexual orientation. We will identify any barriers to progressing equality and diversity, eliminate unlawful discrimination and the underlying causes and take remedial and preventative action where these become apparent. Prohibited conduct includes direct and indirect discrimination, victimisation and harassment.

Selection for employment, promotion, training and development opportunities or any other benefit will be based on aptitude and ability. All employees and volunteers will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficacy of the Organisation.

It is Mind in Somerset's aim to create a positive image as both an employer, and service provider to local communities who use our services, and endeavour to remove any barriers to access the services we provide.

Definition

Diversity consists of visible and non-visible factors, which include personal characteristics such as background, culture, personality, lifestyle and work-style in addition to the characteristics that are protected under equalities legislation.

Equal opportunities is often seen as meaning treating everyone in exactly the same way but to provide real equality of opportunity people often need to be treated differently in ways that are fair and tailored to their needs.

Discrimination means the treatment of one person more or less favourably than the way in which a person not having that particular characteristic would be treated, on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief (including lack of belief), sex and sexual orientation. Discrimination may be direct or indirect. Direct discrimination is deliberate. Discrimination is indirect when an unnecessary condition or requirement is imposed, whether intentionally or inadvertently, such that the proportion of members of one group who can comply with it is considerably smaller than the proportion of other groups.

Victimisation makes it unlawful for one person to treat another less favourably than they would treat other people in the same circumstances because that person has complained about any form of discrimination or harassment, or he or she has given evidence about such a complaint. The Public Interest Disclosure Act 1998 states that the Company must not subject an individual to any detriment as a result of making a disclosure of malpractice.

General Principles

Mind in Somerset is committed to a policy of equal opportunities and diversity for all and requires all employees, volunteers, service users and service providers to abide by and adhere to this general principle and to the requirements of the Equalities Act 2010 and the Code of Practice laid down by the Equality and Human Rights (EHRC). In particular:

- (a) Discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief (including lack of belief), sex and sexual orientation will not be practiced or tolerated.
- (b) Mind in Somerset expects all staff, volunteers, trustees, and service users to abide by and adhere to this general principle.
- (c) staff and volunteers will be promoted, employed and treated fairly on the basis of their ability and merits and accordingly to their suitability and no one will be disadvantaged by a condition or requirement, which is not justified by the genuine needs of their job or of the proposed job.
- (d) Mind in Somerset is committed to challenging any form of discrimination it encounters.

- (e) In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Mind in Somerset will be based on merit, qualifications, experience and abilities.
- (f) Mind in Somerset is committed to provide positive and culturally appropriate service provision to all service users whatever their background.
- (g) Mind in Somerset's Equality and Diversity Policy allows service users to enjoy a service in a safe environment with dignity and self-respect.
- (h) Employees, volunteers or service users with questions or concerns about any type of discrimination in Mind in Somerset are encouraged to bring these issues to the attention of management.
- (i) Any breach of this policy should be reported to a manager or to a senior, responsible member of Organisation staff; breaches will be investigated and where appropriate, dealt with through Mind in Somerset's disciplinary procedures, complaints procedure or Bullying and Harassment procedure.

Responsibilities

This policy is fully supported by senior management.

Mind in Somerset aims to follow a robust policy of adherence to advertising, selection, recruitment, record keeping, monitoring and promotion in accordance with currently accepted best practice for equality of opportunity.

Monitoring of our Equality and Diversity Policy and Equality Impact Assessments will be undertaken as part of our quality monitoring system. This will ensure that our organisation practices and procedures do not favour or disfavour any particular group in society.

Mind in Somerset will allow flexibility to ensure that the cultural and physical needs of our workforce and service users are given due consideration, and will do everything possible to ensure that all facilities and working practices allow all members of staff and volunteers to be fully able to carry out their duties.

Employees and service users experiencing any form of victimisation will be offered support through the informal or formal procedure as detailed in Bullying and Harassment Policy.

If you are a victim of a criminal act, Victim Support line can provide emotional and practical help along with relevant information – [08 08 16 89 111](tel:08081689111) or Text [18001](tel:18001)

Employment Procedures

Vacancy advertising

Wherever possible, all vacancies will be advertised simultaneously internally and externally.

Steps will be taken to ensure that knowledge of vacancies reaches underrepresented groups internally and externally. Wherever possible, vacancies will be notified to job centres, careers

offices, schools, colleges, universities, etc. as well as to minority press/media and organisations.

All vacancy advertisements will be reviewed to ensure –

- (a) there are no requirements or criteria which are unnecessary to the post and which might exclude applicants from any particular section of the population specified in the policy, e.g. age barriers
- (b) that all external advertisements will contain the Organisation's statement on our commitment to equality of opportunity which is 'Mind in Somerset is striving to be an equal opportunity employer and welcomes applications from all sections of the community'.
- (c) that all advertisements contain the statement: **"All disabled applicants who meet the minimum criteria will be offered a guaranteed interview"**
- (d) that all application forms will contain the statement: **"All disabled applicants who meet the minimum criteria will be offered a guaranteed interview"**

Selection and recruitment

Selection criteria (job description and person specification) will be reviewed annually to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job.

More than one person must be involved in the selection interview and recruitment process, and all should have received training in equality and diversity.

No applicant shall be disadvantaged by an interview's timing, location or facilities.

All applicants will be given equal consideration for appointments. All applications shall be subject to confidential monitoring system using only the approved form.

Criteria for shortlisting must be clearly established and equally applied to all candidates. Wherever possible, women, minorities and disabled persons will be involved in the shortlisting and interviewing processes.

Each individual should be assessed according to his or her personal capability to carry out a given job. General assumptions must not be made that a person's race or sex for example would disqualify them from carrying out certain kinds of work.

Selection decisions must not be influenced by age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief (including lack of belief), sex and sexual orientation unless for genuine occupational qualification reasons. The selection decisions must not be influenced by perceived prejudices of other employees. Reasons for selection and rejection of applicants for vacancies must be recorded.

Positive action – training, promotion and conditions of service

Underrepresented groups will be encouraged to apply for training and employment opportunities within Mind in Somerset. Wherever possible, special training will be provided

for such groups to prepare them to compete on genuinely equal terms for jobs and promotion. However, actual recruitment to all jobs will be strictly on merit.

Wherever necessary, use will be made of lawful exemptions to recruit suitably qualified people to cater for the special needs of particular groups.

Wherever possible, efforts will be made to identify and remove unnecessary/unjustifiable barriers and provide appropriate facilities and conditions of service to meet the special needs of disadvantaged and/or underrepresented groups.

The continuous development of all employees and volunteers will help to improve performance, and identify future potential. Our aim is to ensure training opportunities are available to all and not denied to some because they have commitments outside of work which make it difficult for them to take advantage of those opportunities. Decisions must be taken on merit and benefit to the Organisation, they must be non-discriminatory and not due to the personal circumstances of each individual employee. Employees have the right to an explanation when they have not been granted a training or development opportunity.

Personnel records

In order to ensure the effective operation of the equality and diversity policy (and for no other purpose) a record will be kept of all employees', volunteers', trustees', and job applicants' age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief (including lack of belief), sex and sexual orientation.

Where necessary, employees will be able to check/correct their own record of these details. Otherwise, access to this information will be strictly restricted.

Such records will be analysed regularly, and appropriate follow-up action taken.

Do's and Don'ts

The Board and its members has overall responsibility for the successful operation of the policy but it is the responsibility of all employees and volunteers and to do all they can to ensure it works effectively in practice, for everyone including our service users.

The following are some do's and don'ts for being a responsible individual:

Do's

- Give full co-operation in the procedures and practices introduced by the management, which are designed to ensure equality and a culture of non-discrimination
- If you feel that additional practices should be adopted, speak to the management in order to push for their introduction
- Feed back any perception you have of discriminatory practices within Mind in Somerset to the management team or the Equality and Diversity lead
- Refrain from any act, which may encourage an employee to leave our employment on grounds of discrimination against them
- Refrain from any act which undermines the dignity of, or shows disrespect to a service

user, member of staff or volunteer

Don'ts

- Discriminate against any employee in the course of their employment in matters related to recruitment, ongoing employment, training, appraisals, grievances, disciplinary action or dismissal
- Discriminate against any service user in matters relating to provision of care or quality of service delivery
- Induce, or attempt to induce employees or bodies who practice unlawful discrimination
- Refuse to work with any employee or service user from a particular minority group, on the grounds of them being from that group
- Victimise individuals who have made allegations or complaints regarding discrimination within the Organisation

Breaches of the Equality and Diversity Policy or the laws on which it is based will be regarded as misconduct and could lead to disciplinary proceedings. Either the Director, Equality lead or project leaders will be responsible for bringing to the attention of the Board any complaint of discrimination, harassment or other unacceptable behaviour. Performance under this policy will be subject to annual review.

Training

Staff and volunteers employed by Mind in Somerset should read the Equality and Diversity Policy as part of their induction process. All staff and volunteers may be offered equalities training covering basic information about equal opportunities and discrimination including up to date legislation i.e. Equality Act 2010.

Staff will also be provided with ongoing, regular equality and diversity updates to ensure that they always consider equality when carrying out their work.

Clients and access to services

We aim to ensure that no applicant for our services receives less favourable treatment because of a protected characteristic.

There are written eligibility criteria for all of the services operated by Mind in Somerset. Assessment procedures are reviewed to ensure that individuals are offered a service based entirely on their relevant needs and circumstances.

Anyone who feels that they have been denied equality of opportunity whilst in receipt of a service offered by Mind in Somerset will be encouraged to use the complaints procedure so that their concerns can be investigated and responded to.

Staff are expected to make clients aware of their rights and obligations with regard to equal opportunities. This may mean that staff are required to act as advocates on the behalf of clients', but it can also mean that staff may be required to point out unacceptable behaviour on the part of clients.

Monitoring and review of Equality and Diversity Policy

This Policy summarises the measures used in the Organisation to monitor and assess the success of the Equality and Diversity Policy through a review of practices and data collected, and to recommend appropriate action where necessary:

Equality Impact Assessment (EIA)

Mind in Somerset will complete an Equality Impact Assessment on the introduction of any new organisational policies and procedures to anticipate the consequences on target groups and making sure that, as far as possible, any negative consequences are eliminated or minimised and opportunities for promoting equality are maximised.

Mind in Somerset will complete an EIA on the introduction of any new organisation services and complete an EIA on the review of all Policies and Procedures every 3 years.

For each EIA, an initial screening process will be completed and if any possible adverse or negative impact is identified, a full assessment will be completed. Completed EIAs will be saved on the shared drive.

The Equality Lead will make a review of this data on a 12-monthly basis. This will be discussed at the Board Meeting and result in an Equalities Impact Assessment Improvement Plan which will focus upon Opportunities for improvement (also to be discussed with service users / family), Action needed to make these improvements, Responsibilities for action, and follow-up monitoring to ensure that the action taken has been effective. A summary of the findings of the Equalities Impact Assessment Improvement Plan and subsequent action taken and Minutes of the Review Meetings will be maintained.

The Equalities Impact Assessment Improvement Plan will also contain monitoring of both service users and staff within the Organisation. This will be based upon a person's self-declaration, as recorded in the Equal Opportunities Monitoring Forms for staff, volunteers and service users. This data will be recorded on Monitoring Forms which will be reviewed on a 12-monthly basis by the Equality Lead to identify possible areas of exclusion or discrimination.

Equality and Diversity Statement

The Equality and Diversity Statement shown below can also be seen on noticeboards/walls throughout Mind in Somerset.

Equality and Diversity Statement

Mind in Somerset aims to be fair and equitable and to recognise diversity in all of its contacts with clients, volunteers and staff.

Clients of Mind in Somerset comprise of people from a wide range of backgrounds and circumstances. Mind in Somerset is committed to eliminating discrimination on the basis of gender, age, disability, pregnancy and maternity, marriage and civil partnership, race, religion, gender reassignment, sexuality and cultural and linguistic background.

We aim to provide services in a way that respects the needs of each individual and does not exclude anyone.

Equality is about ensuring that access to opportunities are available to all by taking account of people's differing needs and capabilities. Equality is not about treating everyone the same.

Diversity is about recognising and valuing differences through inclusion, regardless of age, disability, pregnancy and maternity, gender, gender reassignment, racial origin, religion, belief, sexual orientation, values and opinions etc.

The point of contact for any enquiries relating to Equality and Diversity is **Chris Rugg**, Equality and Diversity lead.

Our Equality and Diversity policy is available on both the S/Drive and SharePoint.

Appendix A

Initial Equality Impact Assessment

Could a particular group be affected either positively or negatively by this policy? Consider:

1. Purpose of the policy.
2. How in practice the policy will achieve this?
3. Who is benefiting, who is not and how?
4. Any secondary aims of the policy and what they are.

Indicate in the table with a Y for any negative or positive impacts identified

Group	Negative Impact	Positive Impact	Evidence
Age			
Sex			
Gender reassignment			
Sexual Orientation			
Being married or in a Civil Partnership			
Disability			
Pregnancy/Maternity Leave			
Religion or belief			
Race including colour, nationality or national origin			
Any other groups			

Give Details of any identified impacts:

Where a negative impact is identified are there any policies, procedures, services, strategies or functions that need to be assessed alongside this policy for further screening? Please list:

In relation to negative impacts identified, does the policy need to proceed to a more detailed equality impact assessment to understand fully the impact and seek ways of reducing or removing this? Indicate with a Y/N **NO**

If no give reasons: **This policy is fair and impartial**

If yes ensure a full equality impact assessment is completed and relevant actions and outcomes followed through to update this policy prior to this policy being approved.

Declaration:

We are satisfied that an initial equality impact assessment has been carried out on this policy and no further action is required.

Carried out by (Name): Tessa Mason Signed: Date: November 2019

Approved by (name): signed: Date: