

Equality, Diversity and Human Rights in Employment Policy

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Equality, Diversity And Human Right Statement	The Trust is committed to an environment that promotes equality and embraces diversity in its performance both as a service provider and employer. It will adhere to legal and performance requirements and will mainstream Equality, Diversity and Human Rights principles through its policies, procedures, service development and engagement processes. This procedure should be implemented with due regard to this commitment.		
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1. Purpose

1.1 Summary

The Trust is committed to equality, diversity and human rights in employment. We intend to take positive steps to improve our workforce diversity and to provide opportunities for all.

The Trust is committed to encouraging and promoting diversity and eliminating discrimination. This policy outlines our commitment to equality, diversity and human rights in all areas of the employment relationship (including applicant stage) and has been designed to demonstrate an understanding of current equality legislation, codes of practice and business requirements for equality and diversity.

The Trust aims to ensure that the workforce is truly representative of the local community and that a culture is inherent that values equality, diversity and human rights and recognises that diversity adds value through enabling the Trust to provide responsive and quality services to all patients and clients. This is encapsulated in the Trust Expect Respect campaign.

The Trust participates in the National Equality Delivery System 2 (EDS2). Goal 3 relates to empowered, engaged and well supported staff & goal 4 is inclusive leadership for all. The EDS2 results & equality objectives can be viewed on the equality and diversity section of the trust website. The Trust recognises the right of all employees irrespective of protected characteristics age, disability (a physical or mental impairment that has a substantial and long-term adverse effect in ability to carry out normal day to day duties), gender reassignment (the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex), marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, ethnic and national origins), religion or belief (religion includes a lack of religion and belief includes philosophical belief and lack of belief), sex, sexual orientation (this means a person's attraction towards persons of the same sex, opposite sex or either sex) and socio economic status to be treated fairly and considerately in an employment framework that demonstrates commitment to equality and fairness for all. Fair treatment is a moral and legal duty and a business imperative. The Trust extends the right from the protected characteristics outlined above to cover trade union memberships and 'spent' court convictions. See Safe Recruitment & Selection Policy / Safe Employment Policy.

The Trust will provide an environment of dignity & mutual respect where people can achieve their full potential and want to work through good employment practice in all areas of equality, diversity and human rights. This includes ensuring all staff have a personal development plan and annual appraisal.

Everyone who works for the Trust, or applies for work, will be treated fairly and valued equally. All recruitment processes, terms of employment and training and development opportunities will reflect the diversity of service and employment needs.

The Trust has a Reasonable Adjustments Policy and process. This policy demonstrates our commitment towards employing disabled people and ensuring fair and inclusive practices that promote equality in opportunity and eliminate disadvantage.

1.2 Policy Aims

The key aims of this policy are to:

- Describe the benefits of equality, diversity and human rights.
- Provide a framework to develop a culture where all individuals (colleagues & patients) are respected and valued.
- Outline how we will develop a workforce representative of the local community to enable us to deliver responsive and quality services including taking positive action to overcome current under-representation and remove barriers in access to employment and career progression.
- Value the unique contribution that each individual brings, recognising differences in skills, experiences and knowledge.
- Ensure no job applicant or employee receives less favourable treatment or is disadvantaged for any unjustifiable reason.
- Define responsibilities under this policy.
- Enable equality of services provided to the local community.

The Trust supports the national policy agenda on promoting equality, diversity and human rights and is committed to ensuring that:

- Equality & Diversity is considered within all of the Trusts decisions through embedding Equality Impact Analysis and decision-making structures are constituted in a way that enables equality, diversity and human rights issues to be appropriately considered when key decisions are taken.
- Equality, diversity and human rights is a fundamental principle in all HR policies and procedures, all policies and procedures are effectively promoted and used equitably across the organisation.
- No discrimination occurs in the employment relationship and no job applicant receives less favourable treatment than any other. We will assess the effectiveness of HR processes through workforce equality monitoring and take action to investigate and address any evidence of potential discrimination.
- All employees are supported to develop the skills and abilities they require to carry out their current and any likely future role in the organisation. Equality of access for all staff to both training and development opportunities is key to motivation, business performance and the organisation's aspiration to be an employer of choice and will be subject to regular monitoring.
- There is an environment where everyone feels valued and is able to perform to their best potential. To achieve this all staff must have an awareness of equality, diversity and human rights issues and all managers must have effective skills in managing diversity so that they can achieve the best performance from their staff and improve the overall performance of the organisation.

- All Directors, staff, customers, patients and visitors understand and follow the standards of behaviour that are necessary for the management of equality, diversity and human rights.
- We demonstrate positive employment practices through attainment and ongoing maintenance of accreditations e.g. Two Ticks Positive about Disabled People, Mindful Employer, Age Positive and Stonewall Diversity Champions

2. Scope

This policy applies to all staff employed at the Trust and should be considered in light of current employment legislation.

The ethos of this policy covers all aspects of the employment relationship and the application of HR policy and practice.

3. Policy Content

3.1 Defining Equality, Diversity and Human Rights

Equality is essentially about creating a fairer society removing barriers and creating a level playing field where everyone can participate and has the opportunity to fulfil their potential. It is backed by legislation designed to address unfair discrimination [past, present or potential] that is based on membership of a particular group. In some circumstances, positive action is encouraged to address discrimination. It is often summarised in terms of:

- Equal Access;
- Equal Treatment;
- Equal Shares;
- Equal Outcomes.

Diversity is about the recognition and valuing of difference in its broadest sense. Diversity is based on the concept that people should be valued as individuals for reasons related to business interests as well as for moral and social reasons. Diversity recognises that people from different backgrounds can bring fresh ideas and creativity that taps in to hidden capacity for growth and improved services.

Equality and diversity are not inter-changeable but are inter-dependent. There is no equality of opportunity if difference isn't recognised and valued. Another factor is the emphasis on social inclusion rather than a focus on the protected characteristics. Diversity is more about the collective mixture of individuals, cultures and organisational expertise – all the differences that make us unique and the commonalities that connect us for the benefit of the individual and the organisation.

We need people with different skills, backgrounds and experience to provide a quality service that is responsive to the needs of the diverse community we serve. The concept of 'Managing Diversity' requires that equality is dealt with in a strategic coordinated way. It broadens the concept of equal opportunities beyond the requirements of compliance with the law.

A definition of Diversity at work is:

“A strategy to promote values, behaviour and working practices which recognises the difference between people and thereby enhances staff motivation and performance and releases potential, delivering improved services to customers” RR Thomas Beyond Race and Gender.

Definition of Human Rights

Human Rights are the conditions and expectations to which every person, by virtue of his or her existence as a human being, is entitled. These are the rights that every human being automatically qualifies for at birth, they can't be given or taken away, they belong to everyone. Central to the concept of human rights is the protection of human dignity. They are the basic rights we all have simply because we are human, regardless of who we are, where we live or what we do. Human rights allow us to flourish, reach our potential and participate fully in society. Human rights cover many aspects of everyday life ranging from the rights to food, shelter, education and health to freedoms of thought, religion and expression. Human rights are underpinned by core values or principles, including fairness, respect, equality, dignity, autonomy, universality and participation. Human rights issues, values and principles are expressed through internationally agreed laws. These laws exist as a vehicle for making core human rights values real in people's lives. The Trust advocates a human rights based approach to healthcare with person-centred decision making.

3.2 Business Benefits of Diversity

Definition of business case

Growing corporate and social responsibility and legislative requirements means that equality, diversity and human rights is a key business priority. The advantages of embracing equality, diversity and human rights cannot be achieved unless it is incorporated into every aspect of an organisation objectives and goals.

The Trust recognises that embracing equality, diversity and human rights is good for the quality of service. Substantial evidence shows that “Diversity trumps ability” in that well managed diverse groups outperform homogenous groups in responding to change and providing high quality services. This is particularly true in relation to providing better customer and patient care and improved performance outcomes.
Common understanding of business case

An equality, diversity and human rights approach recognises the strengths and potential of each individual. It broadens the working culture so that a variety of thinking and styles can be accommodated for the benefit of the individual and the organisation's performance. Pursuing equality, diversity and human rights goals opens up new ideas, attracts new people and creates new networks. It also allows us to provide a more responsive, accessible service to communities, patients and customers as well as improving relations with the wider public.

The Trust must develop services, which are open and equally accessible to all sections of the communities. This reflects local and national drivers and the demography of local communities.

3.3 Governance

The Equality & Diversity Sub-Committee /Hospital Management Board oversee the E&D programme of work as sub-committees of the Board. The Trust recognises that Board representation should reflect the diverse communities we serve. We will monitor information on Board membership and take relevant actions through target setting and positive action to aim to have a board that is representative of the communities we serve.

Senior management are committed to participating in equality, diversity and human rights activities to drive the strategic goals of the organisation.

3.4 Recruitment and Selection

The Trust has a fair and objective system for recruiting, which places emphasis on individual skills, abilities and experience. This enables people from all backgrounds to demonstrate their ability to do a job. Selection criteria contained within the Job Descriptions and Personal Specifications are reviewed when new jobs are developed as part of the agenda for change process to ensure that the content is justifiable and essential for the role and does not inadvertently unfairly discriminate directly or indirectly against any groups. Only jobs that have been assessed via agenda for change are permitted to be used for recruitment.

We will not discriminate, victimise or harass any applicant in the recruitment and selection process.

Staff involved in interviews will receive recruitment training and are recommended to undertake equality and diversity training and unconscious bias testing and training. We ask managers to ensure that there is more than one person involved in the selection process and that the selection panel is diverse, even if this means obtaining panel members from outside the organisation. Steps will be taken to ensure that knowledge of vacancies reach underrepresented groups, community organisations and individuals internally and externally through positive action initiatives including annually sending a reminder to all community organisations of where job information can be accessed and placing positive action recruitment advertisements in specialist media where requested and participating in community events.

Equality monitoring questionnaires are used to monitor each stage of the recruitment and selection process to ensure that we are treating candidates fairly and equitably. The monitoring results are collated and analysed annually in the workforce equality monitoring report as required to comply with the Equality Act 2010 and are reported to the Board. Actions are agreed to address and remove any evidence of discrimination.

3.5 Employment Conditions

The Trust has implemented the national terms and conditions (Agenda for Change and Medical Terms and Conditions) in consultation with staff side. We are committed to equal pay and have undertaken an equal pay audit. We will not discriminate, victimise or harass any member of staff in the terms of employment offered, access to opportunities, promotion, training and benefits or terminating an appointment.

All staff will be supported to achieve their full potential. Staff members that declare that they are disabled will have an annual review on request to assess and review support measures.

All managers will be supported and helped to develop an understanding of managing diversity so that all staff will be managed flexibly and appropriately through appropriate training interventions, policy guidance and equality and diversity toolkits.

Every contract within the Trust includes a specific equality and diversity requirement. This is attached as [Appendix 2](#). All roles with people management responsibility have a higher minimum standard as detailed at [Appendix 3](#). Roles that require a higher level of competence in equality, diversity and human rights are expected to also have duties incorporated in to the main responsibilities of the role (RLBUHT).

3.6 Equality, Diversity and Human Rights Training

The Trust is committed to ensuring that staff receive relevant equality, diversity and human rights training to undertake their role. The Trust will put in place a range of awareness programmes to support managers and staff with the implementation of this policy.

The equality and diversity training strategy covers staff at all levels. This includes general awareness training for all staff, service specific training and training managers.

Every post holder has an equality and diversity requirement. Training and development opportunities for equality and diversity will be identified and progressed through the personal development review process.

3.7 Discrimination Complaints

Harassment and bullying at work undermines the performance of our business and cannot be allowed to go unchallenged. There is always a need to consider the full situation in all cases.

All complaints will be dealt with swiftly, seriously and confidentially and staff will be protected against victimisation from making, or being involved in, a complaint. Intentional false allegations will be considered a form of harassment and dealt with appropriately.

Discrimination, harassment/bullying and victimisation will be treated as disciplinary offences and they will be dealt with under the Harassment and Bullying / Disciplinary Policy.

Please see section **7.2** for other policy documents and guidance which allow employees of the Trust to take action if they are subjected to any form of discrimination.

3.8 Direct Discrimination/Less Favourable Treatment

Discrimination occurs where a person (A) discriminates against another person (B) by treating them less favourably than they would treat others in a comparable situation because of a protected characteristic. E.g. A gay staff member applies for paternity leave to support their partner, but this was refused because they are gay. This would be an example of Direct Sexual Orientation Discrimination.

There is usually no possibility of justification of discrimination unless a genuine occupational requirement applies. Please refer to the Recruitment and Selection Handbook for more information regarding genuine occupational requirements. Some exceptions apply as detailed below.

If the protected characteristic is:

Age: it is not discrimination if it can be shown that this a proportionate means of achieving a legitimate aim.

Disability: It is not discrimination to treat disabled persons more favourably. It is not discrimination if the person did not know and could not have reasonably been expected to know that the person had a disability.

It is discriminatory to treat a person unfavourably because of something arising as a consequence of a disability if it cannot be shown that this is a proportionate means of achieving a legitimate aim.

Race: Less favourable treatment includes segregating B from others.

Sex: Less favourable treatment includes less favourable treatment because a woman is breast-feeding.

Gender Reassignment: It is discriminatory to treat a person less favourably with absence due to gender reassignment than a person would be treated for absence related to sickness, injury or for some other reason.

Pregnancy & Maternity: It is discriminatory to treat a woman less favourably because of a pregnancy, illness suffered because of pregnancy, for exercising her right to ordinary and additional maternity leave or in 26 weeks after giving birth or because she is breast-feeding.

3.9 Indirect Discrimination/Failure to make a reasonable adjustment

Indirect discrimination occurs when a person (A) discriminates against another (B) in applying a provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic. For example, if all staff have to telephone to report sickness and there is no other way of doing this, this could be indirect disability discrimination as a deaf member of staff would be unable to report their sickness absence. This could easily be overcome by putting an alternative method of sickness absence reporting e.g. email / text message.

A provision, criterion or practice is discriminatory if applying it would put persons with who the individual shares the protected characteristics with at a particular disadvantage when compared with others who do not share the characteristic and it cannot be shown as a proportionate means of achieving a legitimate aim.

If a provision, criterion or practice, or a physical feature puts a disabled person at a substantial disadvantage in relation to a person who is not disabled there is a duty to take such steps as reasonable to avoid the disadvantage. This could include providing an auxiliary aid, removing physical features or providing information in an accessible format. For example, providing a nurse with a hearing impairment that was affecting her day to day job with an amplified stethoscope to enable her to continue to work as a Nurse.

3.9.1 Victimisation

- Victimisation occurs if a person A treats an individual B differently because they believe that B has done a protected act or they believe that B has made or may make a complaint of discrimination under a protected act.
- 'A Protected Act' is bringing proceedings under discrimination law, giving evidence or information in relation to discrimination law, and making an allegation that A or another person has contravened the Equality Act.
- For example, If a member of staff has lodged a grievance because they believe they are being discriminated against as a result of a disability and the manager then refuses to authorise their annual leave request without a service related reason purely because they have lodged a grievance.
- Equalities law affords an individual that has been victimised the same level of protection as anyone who has themselves experienced discrimination.

3.9.2 Harassment

- Harassment can be a one off or isolated incident and usually refers to a protected characteristic. For example, racial harassment, sexual harassment etc. A person (A) harasses another (B) if:
 - They engage in unwanted conduct related to a relevant protected characteristic and the conduct has the purpose or effect of violating B's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment.
 - They engage in unwanted conduct of a sexual nature or they engage in unwanted conduct of a sexual nature related to gender reassignment and because of rejection to the conduct they are treated less favourably.

When deciding whether harassment has taken the place the following must be taken in to account:

- The perception of B.
- Other circumstances of the case.
- Whether it is reasonable for the conduct to have that effect.

3.10 Implementation

This policy sets out the principles and values for equality and fairness in employment and is a statement of commitment to equality and diversity in the workplace.

In order to meet the standards expected by our patients, staff, public and commissioners, we will:

- Meet the diverse needs of staff on a day to day basis.
- Undertake equality analysis' of all our policies and service changes to identify any potential negative impacts on those in protected characteristics and take steps to address these; (see EIA policy).
- Undertake equality monitoring for recruitment, grievance and disciplinary processes, promotions and attendance.
- Consult widely about how our services and employment practices could be improved.
- Review the equality delivery system annually.
- Set equality objectives at least every four years, engage our public and patients on those objectives and publish them every four years.
- Complete the workforce race equality standard and assess areas for improvement for the EDS2 action plan each year;
- Publish an annual workforce equality report.
- Promote the Trusts equality statement.

3.11 Training and Resources

- Equality, diversity and human rights training is mandatory for all staff and is included in the induction programme for new starters and core skills. Additional equality, diversity and human rights training is available. As part of staff briefing sessions, there will be items on equality diversity and human rights issues reflecting the work we do.
- Training and awareness briefings on this policy, related legislation, procedures and performance requirements will be provided for all Managers and the Trust Board.
- All training provision will consider equality, diversity & human rights as a continuous process.

3.12 Recording and Monitoring of Equality & Diversity

Equality monitoring data is collated, analysed and published on an annual basis as part of our workforce equal opportunities monitoring report and is referenced in the annual report and published on the Trust website. The monitoring covers the protected characteristics and will meet statutory employment duties under the Equality, Diversity and Human Rights in Employment, Version 1, August 2019

Equality Act 2010 and NHS England requirements in the Workforce Race Equality Standard, Workforce Disability Equality Standard and Department of Health requirements in the Vital connection (see data set in Appendix). Where adverse impact is identified through the monitoring process the Trust will investigate and take corrective action to mitigate and prevent any negative impact and will aim to use the data to improve workforce diversity and drive positive action initiatives.

The information collected for monitoring and reporting purposes will be treated as confidential and will be used for statistical monitoring purposes.

4. Exceptions

No exceptions

5. Training

If there are specific training requirements for staff please include details in this section

6. Monitoring of Compliance

Minimum requirement to be monitored	Process for monitoring e.g. audit/ review of incidents/ performance management	Job title of individual(s) responsible for monitoring and developing action plan	Minimum frequency of monitoring	Name of committee responsible for review of results and action plan	Job title of individual/ committee responsible for monitoring implementation of action plan
Equality and Diversity Annual Report	Performance against improvement plans	Chief Executive Director of Workforce	Annually	Board of Directors	Chief Executive Workforce Committee/Hospital Management Board
Equality Analysis	Audit	Director of Workforce	Quarterly	Workforce Committee/ Hospital Management Board	Chief Executive Workforce Committee/Hospital Management Board
Contract Submissions	Monitoring	Director of Workforce	Quarterly	Workforce Committee/ Hospital Management Board	Chief Executive Workforce Committee/Hospital Management Board
Workforce Race Equality Standard	Return	Director of Workforce	Annually	Workforce Committee/ Hospital Management Board	Chief Executive Workforce Committee/Hospital Management Board
EDS2	Performance against objectives	Director of Workforce	Annually	Workforce Committee/ Hospital	Chief Executive Workforce Committee/Hospital

Minimum requirement to be monitored	Process for monitoring e.g. audit/ review of incidents/ performance management	Job title of individual(s) responsible for monitoring and developing action plan	Minimum frequency of monitoring	Name of committee responsible for review of results and action plan	Job title of individual/ committee responsible for monitoring implementation of action plan
				Management Board	Management Board

The Business Human Resources Team will be responsible for the management of this policy, on behalf of the Joint Negotiating Group. The formal review of all HR Policies will be undertaken in accordance with the Trusts HR Policy Review Programme. In addition, the effectiveness of this policy will be monitored by Business HR and the policy may be reviewed and amended at any time if it is deemed necessary. Notification of any changes to policies will be communicated to all staff.

Staff should be aware that the Trust intranet site version of this document is the only version that is maintained and controlled. Any printed copies should be viewed as 'uncontrolled' and as such may not necessarily contain the latest updates and amendments.

7. Relevant Regulations, Standards and References

7.1 Relevant Legislation

- The Equality Act 2010
- Human Rights Act 1998
- The Health and Safety at Work Act 1974 (HASAWA)

7.2 Associated Policies and Guidance Documents

- To support effective implementation and understanding the following policies are signposted for additional guidance:
 - Harassment and Bullying at Work
 - Disciplinary Policy
 - Grievance Policy
 - Whistle blowing Policy
 - Work Life Balance Policies
 - Recruitment and Selection Policy
 - Supporting Staff Who are Disabled or Have a Long-Term Health Condition Policy (reasonable adjustments)
 - Managers Equality and Diversity Toolkit (RLBUHT)
 - Equality Impact Assessments Policy
 - NHS workforce Race Equality Standard (WRES) guidance 2017
 - NHS workforce Disability Equality Standard (WDES) guidance 2019
 - Equality Delivery System 2

All of the HR policies can be found on the staff hub.

Please also see the Trust's Equality Delivery System & Equality objectives on the Trust website.

8. Equality, Diversity and Human Right Statement

The Trust is committed to an environment that promotes equality and embraces diversity in its performance as an employer and service provider. It will adhere to legal and performance requirements and will mainstream equality, diversity and human rights principles through its policies, procedures and processes. This policy should be implemented with due regard to this commitment.

To ensure that the implementation of this policy does not have an adverse impact in response to the requirements of the Equality Act 2010 this policy has been screened for relevance during the policy development process and a full impact assessment conducted where necessary after appropriate consultation. The Trust will take remedial action when necessary to address any unexpected or unwarranted disparities and monitor workforce and employment practices to ensure that this policy is fairly implemented.

This policy and procedure can be made available in alternative formats on request including large print, braille, moon, audio cassette, and different languages. To arrange this please contact Business Human Resources in the first instance.

The Trust will endeavour to make reasonable adjustments to accommodate any employee with particular equality and diversity requirements in implementing this policy and procedure. This may include accessibility of meeting venues, providing translation, arranging an interpreter to attend meetings, extending policy timeframes to enable translation to be undertaken, or assistance with formulating any written statements.

9. Legal Requirements

This document meets legal and statutory requirements of the EU General Data Protection Regulation (EU 2016/679) and all subsequent and prevailing legislation. It is consistent with the requirements of the NHS Executive set out in Information Security Management: NHS Code of Practice (2007) and builds upon the general requirements published by NHS Digital/Connecting for Health (CfH).

9.1 The Equality Act

- The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations. It sets out the different ways in which it's unlawful to treat someone.

9.2 Public Sector Equality Duty

- The Public Sector Equality Duty was created by the Equality Act 2010. It contains two parts, the General Duty and the Specific Duty. Public Sector organisations are required to meet both.

9.3 Public Sector Equality Duty

- The duty is set out in the Equality Act 2010. In summary, the Trust must, in the exercise of its functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not;
- Foster good relations between people who share a protected characteristic and those who do not.

9.4 Specific Duty

- Specific duties are legal requirements designed to help public bodies meet the general duty. These require the publication of:
 - Equality objectives, at least every four years;
 - Information to demonstrate compliance with the equality duty, at least annually.

Appendix 1: Equality Impact Assessment

Title	Equality, Diversity and Human Rights in Employment
Strategy/Policy/Standard Operating Procedure	Policy
Service change (Inc. organisational change/QEP/ Business case/Project)	
Completed by	
Date Completed	

Description *(provide a short overview of the principle aims/objectives of what is being proposed/changed/introduced and the impact of this to the organisation)*

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Who will be affected *(Staff, patients, visitors, wider community including numbers?)*

All Staff

The Equality Analysis template should be completed in the following circumstances:

- **Considering developing a new policy, strategy, function/service or project(Inc. organisational change/Business case/ QEP Scheme);**
- **Reviewing or changing an existing policy, strategy, function/service or project (Inc. organisational change/Business case/ QEP Scheme):**
 - If no or minor changes are made to any of the above and an EIA has already been completed then a further EIA is not required and the EIA review date should be set at the date for the next policy review;
 - If no or minor changes are made to any of the above and an EIA has NOT previously been completed then a new EIA is required;
 - Where significant changes have been made that do affect the implementation or process then a new EIA is required.

Please note the results of this Equality Analysis will be published on the Trust website in accordance with the Equality Act 2010 duties for public sector organisations

Section 1 should be completed to analyse whether any aspect of your paper/policy has any impact (positive, negative or neutral) on groups from any of the protected characteristics listed below.

When considering any potential impact you should use available data to inform your analysis such as PALS/Complaints data, Patient or Staff satisfaction surveys, staff numbers and demographics, local consultations or direct engagement activity. You should also consult available published research to support your analysis.

Section 1 – Initial analysis

Equality Group	Any potential impact? Positive, negative or neutral	Evidence <i>(For any positive or negative impact please provide a short commentary on how you have reached this conclusion)</i>
Age <i>(Consider any benefits or opportunities to advance equality as well as barriers across age ranges. This can include safeguarding consent, care of the elderly and child welfare)</i>		
Disability <i>(Consider any benefits or opportunities to advance equality as well as impact on attitudinal, physical and social barriers)</i>		
Gender Reassignment <i>(Consider any benefits or opportunities to advance equality as well as any impact on transgender or transsexual people. This can include issues relating to privacy of data)</i>		
Marriage & Civil Partnership <i>(Consider any benefits or opportunities to advance equality as well as any barriers impacting on same sex couples)</i>		
Pregnancy & Maternity <i>(Consider any benefits or opportunities to advance equality as well as impact on working arrangements, part time or flexible working)</i>		
Race <i>(Consider any benefits or opportunities to advance equality as well as any barriers impacting on ethnic groups including language)</i>		

Religion or belief <i>(Consider any benefits or opportunities to advance equality as well as any barriers effecting people of different religions, belief or no belief)</i>		
Sex <i>(Consider any benefits or opportunities to advance equality as well as any barriers relating to men and women e.g.: same sex accommodation)</i>		
Sexual Orientation <i>(Consider any benefits or opportunities to advance equality as well as barriers affecting heterosexual people as well as Lesbian, Gay or Bisexual)</i>		

If you have identified any **positive** or **neutral** impact then no further action is required, you should submit this document with your paper/policy in accordance with the governance structure.

You should also send a copy of this document to the equality impact assessment email address

If you have identified any **negative** impact you should consider whether you can make any changes immediately to minimise any risk. This should be clearly documented on your paper cover sheet/Project Initiation Documents/Business case/policy document detailing what the negative impact is and what changes have been or can be made.

If you have identified any negative impact that has a high risk of adversely affecting any groups defined as having a protected characteristic then please continue to section 2.

Section 2 – Full analysis

If you have identified that there are potentially detrimental effects on certain protected groups, you need to consult with staff, representative bodies, local interest groups and customers that belong to these groups to analyse the effect of this impact and how it can be negated or minimised. There may also be published information available which will help with your analysis.

Is what you are proposing subject to the requirements of the Code of Practice on Consultation?	Y/N
Is what you are proposing subject to the requirements of the Trust's Workforce Change Policy?	Y/N
Who and how have you engaged to gather evidence to complete your full analysis? (List)	
What are the main outcomes of your engagement activity?	
What is your overall analysis	

based on your engagement activity?	
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Section 3 – Action Plan

You should detail any actions arising from your full analysis in the following table; all actions should be added to the Risk Register for monitoring.

Action required	Lead name	Target date for completion	How will you measure outcomes

Following completion of the full analysis you should submit this document with your paper/policy in accordance with the governance structure.

You should also send a copy of this document to the equality impact assessment email address

Section 4 – Organisation Sign Off

Name and Designation	Signature	Date
Individual who reviewed the Analysis		
Chair of Board/Group approving/rejecting proposal		
Individual recording EA on central record		

Appendix 2: Roles and Responsibility

Role	Responsibility
Board of Directors	<ul style="list-style-type: none"> • The Board of Directors has overall corporate responsibility for ensuring that the Trust complies with their legal and ethical obligations with regard to equality and diversity in its dealings with staff, patients, the public and stakeholders. In addition the Board of Directors will: <ul style="list-style-type: none"> ▪ Receive and consider regular reports in order to evaluate the effectiveness of the policy. ▪ Provide governance and visible leadership for equality and diversity within the Trust and among external stakeholders.
The Chief Executive	<p>The Chief Executive has the primary legal and moral responsibility for ensuring that discrimination does not occur and that the Trust meets its statutory employment duties under equality legislation.</p>
Director of Workforce	<p>The Director of Workforce is responsible for ensuring all Board Members, including the Executive Management Team:</p> <ul style="list-style-type: none"> • Understand and apply our equality, diversity and human rights commitment in all communications. • Ensure consideration has been given to mainstreaming equality, diversity and human rights in all areas of governance. • Be committed to achieving Equality and Diversity, and Human Rights at all levels through the identification and mitigation of any adverse or differential impact on diverse groups of staff from Trust employment policies, functions, practices and procedures. • Be responsible and accountable for the development of equality, diversity and human rights within the Trust. • Monitor the equality, diversity and human rights performance of all areas of the Trust.
Managers	<p>All managers of The Trust should:</p> <ul style="list-style-type: none"> • Understand and apply our equality, diversity and human rights commitment in all communications • Ensure that employees are aware of and understand the Trust Equality, Diversity and Human Rights in Employment policy • Carry out equality and diversity activities assigned to them by the E&D sub-committee. • Ensure that the policies, functions, practices and processes for which they are responsible do not have adverse or differential impact on particular groups of staff or patients through systematic equality impact assessments

	<ul style="list-style-type: none"> • Through the appraisal process ask staff what they have done to support equality, diversity and human rights Demonstrate and promote considerate and fair behaviour. • Contribute ideas for the advancement of these practises in the organisation. • Demonstrate their contribution in respect of this policy in annual performance review. • Ensure that unacceptable behaviour is challenged and individuals are supported to change. • Promote a working atmosphere that encourages all staff equally.
<p>Staff</p>	<p>All employees of The Trust should:</p> <ul style="list-style-type: none"> • Understand our equality, diversity and human rights commitment. • Treat everybody with respect, consideration and without prejudice. • Encourage the same levels of behaviour in colleagues. • Recognise the diverse needs and experiences of everyone they come into contact with. • Take appropriate action under Trust policy if they are aware of any contravening acts. <p>Demonstrate in their annual appraisal what they have done to support equality, diversity and human rights</p>
<p>Business Human Resources Services</p>	<p>The Business Human Resources Service has a responsibility to monitor the implementation of the policy and to ensure that procedures are managed fairly and consistently across the Trust. Business Human Resources will provide training, guidance and support to line managers on the operation of this policy.</p>

Appendix 3: E & D Monitoring Data Set

This data will be collated and analysed and reported to the Equality and Diversity Sub-Committee and the board and the equalities indicators published on the Trust website and referenced in the annual report.

3.1 Workforce Profile Data Sets

- Workforce Profile – broken down by monitoring sets in to % of headcount employed
 - Ethnicity
 - Occupational Group
 - Age
 - Gender
 - Disability
 - Religion or Belief
 - Sexual Orientation
 - Carer Status
 - Full-time/Part-time status
 - Transgender
 - Marital status
 - Pregnancy Maternity

Actions and Targets will be set to increase representation against the local community demography and national targets in the Vital Connection.

3.2 Recruitment Outcomes

- broken down by recruitment episode in to the equality indicators and by occupational group
 - Applicants
 - Short Listed
 - Appointed

3.3 Applicants for promotion

- broken down in to the equality indicators
 - Applicants
 - Short Listed
 - Appointed

Information for all of the following should be broken down by:

- Gender
- Disability
- Ethnic origin
- Full-Time/Part-time
- Occupation
- LOS with employer
- Age
- Religion or belief
- Sexual orientation
- Carer status
- Transgender
- Marital status
- Pregnancy/Maternity

3.4 Training and development plans

- Staff having group or individual training plans as % of total headcount employed.
- Applicants for and in receipt of training

3.5 Case Management

- Ratio of cases of formal disciplinary action to total headcount employed.
- Ratio of grievance cases (brought by staff/brought against staff) to total headcount employed.
- Ratio of recorded claims of bullying/harassment to total headcount employed.

3.6 Sickness absence

The amount of time lost through absence as a proportion of the staff time available together with reasons for the absence. This should not cover disability related absence, maternity leave, carers leave, or any periods of absence agreed under family friendly/flexible working policies but should include all unauthorised absence from work and long term sickness.

3.7 Violence

Ratio of violent incidents to total number of employees, measured over the course of the year.

3.8 Staff turnover

Number of leavers in 12 months as % of total headcount of staff in post at the end of the reporting year.

3.9 Flexible Working

- Number of staff returning at the same level after maternity leave of 12 months as % of staff taking maternity leave.
- % of staff from professional groups working part-time.
- Applicants for Flexible Working.
- Applicants for Special Leave
- Applicants for Paternity Leave
- Career Breaks

Appendix 4: Equality, Diversity and Human Rights

Minimum contractual requirement for all staff on equality and diversity.

It is the responsibility of every member of staff to understand our equality, diversity and human rights commitments and statutory obligations under current equality legislation and to:

- Act in ways that support equality, diversity and human rights recognising the importance of people's rights in accordance with legislation, policies, procedures and good practice.
- Value people as individuals, treating everyone with dignity, respect, consideration and without prejudice, respecting diversity and recognising peoples expressed beliefs, preferences and choices in working with others and delivering appropriate services
- Recognise and report behaviour that undermines equality under Trust policy.
- Be consciously aware of own behaviour and encourage the same levels of behaviour in colleagues.
- Acknowledge others' different perspectives and recognise the diverse needs and experiences of everyone they come into contact with.
- With the support of managers develop an equality, diversity and human rights objective through the personal development review process.

Appendix 5: Equality, Diversity and Human Rights

Minimum contractual requirement for staff with people management responsibility

EQUALITY, DIVERSITY & HUMAN RIGHTS

- Recruits, develops and retains a diverse high quality workforce in an equitable manner. Leads and manages an inclusive workplace that maximises the talents of each person to achieve high performance.
- Equality impact assesses services and policies to identify and remove discrimination and promote equality.
- Provides an appropriate and responsive service that takes in to account diverse needs.
- Respects, understands, values and seeks out individual differences to achieve the core values of the Trust.
- Develops and uses measures to hold self and others accountable for achieving results that embody the principles of diversity. Identifies equality and diversity training and development needs for staff and self.
- Role models and fosters supportive working practices and ensures that inappropriate behaviours are tackled.
- Promotes and instils a culture of integrity and ensures that individual differences are valued and everyone is treated with fairness, dignity and respect.
- Acts as a mentor to staff from diverse groups.