

6 Skelmersdale Walk to 20-22 Wenlock Road, London N1 7GU

Equality, Diversity, and Inclusion Policy

Summary	The purpose of a policy on equality, diversity and inclusion is to make sure that Care Quality Support is fully committed to these principles and values and to communicate this commitment to all stakeholders. The policy should always be referred to wherever differences of view based on lack of understanding or prejudice about diversity, equality and inclusion are evident.
Scope	The following people may be affected by this policy: All staff. Whether temporary or permanent, Local Authorities, Commissioners. Families, NHS, Children and Young adults.
Document Type	Policy & Procedure
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PURPOSE STATEMENT

The purpose of a policy on equality, diversity and inclusion is to make sure that **Care Quality Support** is fully committed to these principles and values and to communicate this commitment to all stakeholders. The policy should always be referred to wherever differences of view based on lack of understanding or prejudice about diversity, equality and inclusion are evident. The commitment to equality, diversity and inclusion is included in our statement of purpose and information produced for the people who use its services. It is instrumental in many aspects of our practice including in our capacity to provide a responsive service to meet diverse needs and corresponding staff recruitment and selection.

Care Quality Support recognises that discrimination and victimisation is unacceptable and that it is in the interests of the Company and its employees to utilise the skills of the total workforce. It is the aim of the Company to ensure that no service user, employee, or job applicant receives less favourable facilities or treatment (either directly or indirectly) in recruitment or employment on grounds of age, disability, gender / gender reassignment, marriage / civil partnership, pregnancy / maternity, race, religion or belief, sex, or sexual orientation.

EQUALITY AND HUMAN RIGHTS

CARE Health Care recognises that some sections of our society experience prejudice and discrimination. The Equality Act 2010 specifically recognises the protected characteristics of age, disability, gender, race, religion or belief, sexual orientation, and transgender.

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The Equality Act also requires regard to socio-economic factors including pregnancy /maternity and marriage/civil partnership.

CARE Health Care

is committed to equality of opportunity and anti-discriminatory practice both in the provision of services and in our role as an employer.

CARE Health Care

believes that all people have the right to be treated with dignity and respect and is committed to the elimination of unfair and unlawful discriminatory practices.

CARE Health Care

also is aware of its legal duties under the Human Rights Act 1998. Section 6 of the Human Rights Act requires organisations to uphold and promote Human Rights in everything they do. It is unlawful for an organisation to perform any act which contravenes the Human Rights Act.

CARE Health Care

is committed to carrying out its functions and service delivery in line with the Human Rights based approach and the FREDA principles of Fairness, Respect, Equality Dignity, and Autonomy.

References to Legislation and Quality Standards

Children’s Homes (England) Regulations 2015 Regulation 13

Quality Standard

Leadership and Management

Legal Considerations

- Data Protection Act 2018
- Equalities Act 2010
- Equalities Act 2010: Chapter 1 (Protected Characteristics) Chapter 2 (Prohibited Conduct and Chapter 3 (Services and Public Functions)
- *Grievance Procedure - HR/HR Policies and Procedures*
- *Learning and Development Policy and Procedure - Training Policies and Procedures*
- *Whistle Blowing Policy – Operations/Policies and Procedures - Disciplinary Policy and Procedure – HR/HR Policies and Procedures*

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- *Recruitment and Selection Policy and Procedure*
- *Complaints and Compliments Policy and Procedure*
- *Bullying and Harassment Policy and Procedure*
- *Maternity Leave Policy and Procedure*

Regulation Context and Principles

The leadership and management standard

13.—(1) The leadership and management standard is that the registered person enables, inspires and leads a culture in relation to the children's home that—

(a) helps children aspire to fulfil their potential; and

(b) promotes their welfare.

(2) In particular, the standard in paragraph (1) requires the registered person to—

(a) lead and manage the home in a way that is consistent with the approach and ethos, and delivers the outcomes, set out in the home's statement of purpose;

(b) ensure that staff work as a team where appropriate;

(c) ensure that staff have the experience, qualifications and skills to meet the needs of each child;

(d) ensure that the home has sufficient staff to provide care for each child;

(e) ensure that the home's workforce provides continuity of care to each child;

(f) understand the impact that the quality of care provided in the home is having on the progress and experiences of each child and use this understanding to inform the development of the quality of care provided in the home;

(g) demonstrate that practice in the home is informed and improved by taking into account and acting on—

(i) research and developments in relation to the ways in which the needs of children are best met; and

(ii) feedback on the experiences of children, including complaints received; and

(h) use monitoring and review systems to make continuous improvements in the quality of care provided in the home.

POLICY

We oppose all forms of unlawful and unfair discrimination or victimisation. To that end the purpose of this policy is to provide equality and fairness for all in our employment. All employees, whether part-time, full-time, or temporary, will be treated fairly and with respect. Selection for employment, promotion, training, or any other benefit will be on the basis of aptitude and ability.

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All employees 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 efficiency of the organisation.

Our staff will not discriminate directly or indirectly, or harass service users or staff because of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation in the provision of the Company's services.

This policy and the associated arrangements shall operate in accordance with statutory requirements. In addition, full account will be taken of any guidance or Codes of Practice issued by the Equality and Human Rights Commission, any Government Departments, and any other statutory bodies.

This policy applies to anyone receiving a service from **Care Quality Support**, including service users who are children and their families.

Equality, diversity, and inclusion means that every service user — adult or child — has their individual needs comprehensively addressed. They will be treated equally and without discrimination. This is regardless of the individual's ethnic background, language, culture, faith, gender, age, sexual orientation, or any other aspect that could result in their being discriminated against purely because they have such characteristics.

Aims

1. To ensure that no person applying for a service will be refused on discriminatory grounds, e.g. because of their ethnicity, sexual orientation, etc. when they meet all other admission criteria.
2. To ensure that inferior or substandard services are not provided because of a person's ethnicity, sexual orientation or any grounds on which discrimination can occur.
3. To work out with each service user and staff what they want and need and how they will be provided with the required service. This will be influenced by the individual's gender, culture, personal choices and other characteristics and it should not be assumed everyone wants the same thing.
4. To encourage service users and staff to relate to one another on the basis of equality and respect for individual differences.
5. To develop an attitude of self-awareness among the staff and service users to ensure any form of discriminatory behaviour, such as offensive or abusive language, does not occur and to communicate that it is unacceptable in whatever form it might take and from whichever person.
6. To ensure that service users and staff are continuously aware of the procedures for dealing with complaints and allegations of discriminatory or oppressive language or behaviour.
7. To ensure that all complaints and allegations are addressed properly and in non-discriminatory ways.
8. Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings.

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9. This policy is fully supported by senior management and has been agreed with trade unions and/or employee representatives.
10. The policy will be monitored and reviewed annually

Care Quality Support understands that it must fully comply with the requirements of the Equality Act 2010.

Care Quality Support aims to celebrate differences (because of ethnic background, etc.) between individuals. It avoids treating people unequally. It recognises that treating people unequally can result in their losing their dignity, respect, self-esteem and self-worth and ability to make choices.

Care Quality Support does not assume that equality, diversity and inclusion principles and policies apply only to the service's staff. Service users must also respect the ethnicity, culture, religion, gender and any disabilities of staff and not discriminate against them on any of these grounds when expressing their views and preferences.

Care Quality Support clear that it finds unacceptable any form of racist and similar discriminatory behaviour from any source.

Care Quality Support also builds these policies into its external contractual relationships.

Expressions of Commitment to Equality, Diversity, and Inclusion

Care Quality Support expresses its commitment to equality, diversity, and inclusion by:

- respecting service users' ethnic, cultural and religious practices
- reassuring its service users and staff that their diverse backgrounds enhance the quality of experience of the service
- accepting service users and staff as individuals, not as cases or stereotypes
- involving service users and staff to express their individuality and to follow their preferred lifestyle, also helping them to celebrate events, anniversaries or festivals which are important to them as individuals
- showing positive leadership and having management and human resources practices that actively demonstrate a commitment to equality and diversity principles
- developing an ethos throughout the care service that reflects these values and principles
- expecting all staff to work to equality and diversity principles and policies and to behave at all times in non-discriminatory ways
- providing training, supervision and support to enable staff to do this
- having a code of conduct that makes any form of discriminatory behaviour unacceptable; this is applicable to both staff and service users and is rigorously observed and monitored accordingly

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- carrying out regular assessments of the impact of our approach to equality, diversity and inclusion on policies, service users and service provision generally.

Protected characteristics

The Equality Act 2010 came into force on 1 October 2010. The purpose of the Act is to simplify discrimination legislation and create a more consistent and effective framework, while at the same time extending discrimination protection.

The Equality Act prohibits discrimination, harassment and victimisation connected to certain “protected characteristics”. The protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

Discrimination after employment may also be unlawful e.g., refusing to give a reference for a reason related to one of the protected characteristics.

Responsibilities of the management

Responsibility for ensuring the effective implementation and operation of the arrangements will rest with the Registered Manager who will ensure that they and their staff operate within this policy and arrangements, and that all reasonable and practical steps are taken to avoid discrimination. **Care Quality Support** will ensure that:

- all their staff are aware of the policy and the arrangements, and the reasons for the policy.
- grievances concerning discrimination are dealt with properly, fairly, and as quickly as possible.
- proper records are maintained.

The Registered Manager will be responsible for monitoring the operation of the policy in respect of employees and job applicants, including periodic departmental audits.

Responsibilities of the staff



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Responsibility for ensuring that there is no unlawful discrimination rests with all staff and the attitudes of staff are crucial to the successful operation of fair employment practices. In particular, all members of staff should:

- comply with the policy and arrangements.
- not discriminate in their day-to-day activities or induce others to do so.
- not victimise, harass, or intimidate other staff or groups who have, or are perceived to have one of the protected characteristics.
- ensure no individual is discriminated against or harassed because of their association with another individual who has a protected characteristic.
- inform their manager if they become aware of any discriminatory practice.

Our Service Users

Service users accessing our service have the rights to;

- Be respected
- Be treated equally and not be discriminated against
- Be treated as an individual
- Be treated in a dignified way
- Privacy
- Be protected from danger and harm
- Be supported in a way they choose
- Access information about themselves
- Communicate using their preferred methods of communication and language.

Third parties

Third-party harassment occurs where a Company employee is harassed, and the harassment is related to a protected characteristic, by third parties such as clients or customers. **Care Quality Support** will not tolerate such actions against its staff, and the employee concerned should inform their manager / supervisor at once that this has occurred. **Care Quality Support** will fully investigate and take all reasonable steps to ensure such harassment does not happen again.

Types of Unlawful Discrimination

- **Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be refusing to employ a woman because she is pregnant.

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In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

- **Indirect discrimination** is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although it does not explicitly include pregnancy and maternity, which is covered by direct sex discrimination) such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.
- **Harassment** is where there is unwanted conduct, related to one of the protected characteristics that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.
- **Associative discrimination** is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.
- **Perceptive discrimination** is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic.
- **Victimisation** occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he or she is suspected of doing so. However, an employee is not protected from victimisation if he or she acted maliciously or made or supported an untrue complaint.
- **Failure to make reasonable adjustments** is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Rights of Disabled People.

Under the terms of this policy, managers are required to:

- make reasonable adjustment to maintain the services of an employee who becomes disabled, for example, training, provision of special equipment, reduced working hours. (NB: managers are expected to seek advice on the availability of advice and guidance from external agencies to maintain disabled people in employment);
- include disabled people in training/development programmes;
- give full and proper consideration to disabled people who apply for jobs, having regard to making reasonable adjustments for their particular aptitudes and abilities to allow them to be able to do the job.

Monitoring

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- The Company deems it appropriate to state its intention not to discriminate and assumes that this will be translated into practice consistently across the organisation as a whole. Accordingly, a monitoring system will be introduced to measure the effectiveness of the policy and arrangements.
- The system will involve the routine collection and analysis of information on employees by gender, marital status, ethnic origin, sexual orientation, religion / beliefs, grade, and length of service in current grade. Information regarding the number of staff who declare themselves as disabled will also be maintained.
- There will also be regular assessments to measure the extent to which recruitment to first appointment, internal promotion and access to training/development opportunities affect equal opportunities for all groups.
- We will maintain information on staff who have been involved in certain key policies: Disciplinary and Grievances
- Where appropriate equality impact assessments will be carried out on the results of monitoring to ascertain the effect of the Company policies and our services / products may have on those who experience them.
- The information collected for monitoring purposes will be treated as confidential and it will not be used for any other purpose.
- If monitoring shows that the Company, or areas within it, are not representative, or that sections of our workforce are not progressing properly within the Company, then an action plan will be developed to address these issues. This will include a review of recruitment and selection procedures, Company policies and practices as well as consideration of taking legal Positive Action.

Disciplinary and Grievances

- Employees have a right to pursue a complaint concerning discrimination or victimisation via the Company Grievance or Harassment Procedures.
- Discrimination and victimisation will be treated as disciplinary offences and they will be dealt with under the Company Disciplinary and Grievances Procedure.

Training

A series of regular briefing sessions will be held for staff on equality issues. These will be repeated, as necessary.

- All staff are trained to follow **Care Quality Support** policies on equality and diversity.



help

Getting Help

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If you require any help with any matters relating to this procedure, please speak to your line manager or Senior manager.

It is the responsibility of every member of staff to ensure that they are working within this policy and keep up-to-date with changes in policy that may affect their practice at work.