

Equality, Diversity and Inclusion Policy

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Target audience:	All staff
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Summary	The policy outlines the organisations commitments to Equality, Diversity and Inclusion

Version	Date	Control Reason	Title of Accountable Person for this Version
2	May 2021	Policy updated following review by external EDI Consultant. Section on Transgender removed as a result of new Supporting Trans, Non-Binary and Intersex Employees Policy	HR Manager
1	Nov 2019	Updated Policy	HR Dept
Reference Documents		Electronic Locations (Controlled Copy)	Location for Hard Copies
Consultation: Committees / Groups / Individual			Date
Quality and Workforce Committee			December 2019

Contents

1.0	3	
2.0	3	
3.0	4	
4.0	5	
5.0	7	
6.0	9	
7.0	13	
8.0	13	
9.0	14	
10.0	14	
11.0	14	
12.0	15	
13.0	15	
Appendix 1		16

1.0 PURPOSE

PC24 has a responsibility to all staff to promote and encourage equality of opportunity and inclusion for all.

The purpose of this policy is to communicate PC24's commitment to equality, diversity and inclusion for staff in the workplace and with respect to staff behaviour towards patients, visitors and service users.

All employees are responsible for the promotion and advancement of this policy; behaviour, actions or words that contravene the policy will not be tolerated and will be dealt with in line with PC24's disciplinary policy.

We aim to promote a positive working environment and a sense of inclusion and belonging. Compliance with this policy should ensure that the work environment is free of discrimination (including sexism, homophobia, racism, ageism, ableism, transphobia) victimisation, hate crime, harassment and bullying and that everyone is treated with dignity, civility and respect.

2.0 SCOPE OF THE POLICY

This policy applies to all employees, Non-Executive Directors, temporary or bank staff and volunteers. The policy will also be drawn to the attention of any students on clinical placement, work experience, contractors, agency and other visiting workers. PC24 expects these groups to conform to the policy.

At PC24, we respect and value the diversity of our staff, patients, relatives and carers and are committed to serving our community in ways that are appropriate, accessible, fair and culturally sensitive.

3.0 EQUALITY STATEMENT

This statement is intended to support our organisational vision, enabling us to create additional social value by:

- Treating people with dignity, respect and civility
- Challenging inequalities
- Anticipating and responding positively to different needs and circumstances so that everyone's talents are appreciated and all are supported to succeed

Our proposed principles for equality, diversity and inclusion cover patients and all those involved in the delivery of services on behalf of Primary Care 24:

- We value diversity, recognising that different people bring different perspectives, ideas, knowledge and culture, and recognise that this difference can strengthen our services and organisation and enable us to provide a more responsive and accessible service to the community that we serve.
- We aim to be inclusive and foster a sense of belonging to enable us to attract and retain diverse talent.
- We recognise that patterns of under-representation and difference in outcomes can be identified and action taken to address them
- We take an evidence-based, inclusive approach to recruitment and development and will take positive action where required to address any known under-representation
- We respect the rights of all individuals to be treated fairly and with dignity and respect. Individuals will not be discriminated against on any grounds including:
 - Age
 - Disability
 - Gender reassignment including non-binary gender identification
 - Marital and civil partnership status

- Pregnancy and maternity
- Race
- Religion or belief (or lack thereof)
- Sex
- Sexual orientation
- We expect commitment from staff, partners and providers of goods and services to work towards the achievement of our vision

4.0 RESPONSIBILITIES

Directors

Will ensure that equality, diversity and inclusion is integrated into all PC24 business and:

- Have overall responsibility for ensuring the elimination of all forms of direct and indirect discrimination, victimisation, harassment and hate crime in the delivery of services and employment.
- Lead by example, developing and promoting an organisational culture that is supportive of the benefits of managing diversity and equality.

Line Managers

Managers will demonstrate commitment to equalities and:

- Create an inclusive environment valuing diversity and the contribution of all colleagues
- Undertake EIA's where necessary to proactively remove barriers to service delivery and employment, advance equality and foster an inclusive culture.
- Promote equality and inclusion within their everyday roles, for themselves and their staff
- Identify appropriate training needs and providing training opportunities

- Equality monitor the workforce and access to services and the effectiveness policies and equality action plans and initiatives in their areas of work
- Feed into the equality and diversity objective setting and review processes
- Support colleagues to speak up, particularly those colleagues from diverse backgrounds
- Are to guard against assumptions and stereotyping which may influence their decision making inappropriately, and consider the impact of decisions on different groups of staff and will ensure that values, behaviours, equality, diversity and inclusion are discussed with staff throughout their annual appraisal.
- Be directly responsible for the resolution of issues relating to harassment and discrimination in their work area, in accordance with PC24 policies and procedures, including the disciplinary policy where necessary.

Human Resources

- Will ensure that all human resource policies, practices and procedures are consistent with legislative requirements and best practices relating to workplace diversity and equality
- Will ensure that staff have access to the necessary training interventions with regard to managing diversity and equality, and that all relevant training events are supportive of the principles of this Policy

Employees

It is the responsibility of all colleagues to understand our equality, diversity and inclusion commitments and statutory obligations under current equality legislation (the Equality Act 2010) and to:

- Carry out their duties acting in a way that supports equality, diversity and inclusion recognising the importance of people's rights in accordance with legislation, policies, procedures and good practice.

- Value people as individuals and treat everyone with dignity and respect, without prejudice, respecting diversity and recognising peoples' different perspectives, expressed beliefs, preferences and choices and the needs and experiences of others when working with and communicating with others and delivering services.
- Recognising and reporting any behaviour that undermines equality and inclusion.
- Be consciously aware of own behaviour and encourage the same levels of behaviour in colleagues.
- With the support of managers develop an equality, diversity and inclusion objective through the personal development review process.
- Will always reflect the values of the organisation and treat people with dignity and respect, challenging behaviours and actions in others where these contravene the spirit and statements in this policy.
- Will maintain their knowledge of equality and diversity issues, including issues particular to the local communities where they work, reporting any breaches of this policy through the appropriate channels.

5.0 DEFINITIONS

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.

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.

Hate Crime is any incident that the individual (or someone witnessing it) believes is motivated by hate because of disability, race, religion, sexual orientation or because they are transgender. Hate crimes should be reported to the police.

6.0 POLICY PROCEDURES

PC24 has developed organisational values which reflect the principles of equality and diversity, and they act as a guide to all employees as to the behaviours and values they should display.

We recognise that individual and institutional discrimination obstructs the fundamental aims of any organisation, and we are therefore committed to taking any steps necessary to eliminate it. We will do this by ensuring that we consider the impact on Equality and Diversity in all aspects of the organisation's work, from service delivery and development to recruitment and employment.

6.1 Zero Tolerance

PC24 operates a zero tolerance of discriminatory behaviour. The primary aim of this policy is to prevent discrimination, harassment, bullying, hate crime, or victimisation by anyone to anyone on organisation premises. This includes direct and indirect discrimination, either because someone is perceived to have a characteristic which is protected by legislation, or because an individual is associated with someone who has protected characteristics, for example a carer for a disabled child.

6.2 Recruitment, Selection and Promotion

PC24 will act fairly and equitably in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Person specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Where under representation is identified in relation to any protected characteristic in the workforce in relation to the profile of the local demography positive action may be taken.

Pc24 will consider any possible indirect discrimination due to its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to them and will refuse such requests only if there are good reasons, unrelated to any protected characteristic, for doing so. Pc24 will comply with its obligations in relation to statutory requests for contract variations. PC24 will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

6.3 Training, Development and Appraisal

PC24 recognise that individuals may seek to develop themselves and consequently we would encourage staff to pursue training opportunities as they arise. The organisation provides equality of opportunity in training and development activities, with all employees being given access to appropriate training to enable them to deliver their role effectively. Where under representation is identified in relation to any protected characteristic in specific roles in the workforce in relation to the profile of the local demography positive action may be taken to address this.

We will not refuse a request on the basis of a protected characteristic. In making a decision on access to training we will consider the benefit to both the business and the individual in the decision making process.

6.4 **Reasonable Adjustments**

PC24 will only ask health-related questions that are relevant to determining the need for reasonable adjustments or to assess whether a candidate can carry out functions necessary to the role once the individual has been successful in the selection process.

If an individual is disabled or would have difficulty carrying out the job role there may be reasonable adjustments that can be made. An analysis of the job function and disability will be carried out and where reasonable adjustments are required and can be made, they will be. Where appropriate, this may also apply to promotion or redeployment opportunities.

Training courses, materials and other learning resources will be developed to ensure that they meet the needs of a variety of learning styles. Reasonable adjustments will be made to support those with disabilities to access training.

6.5 **Work Life Balance**

PC24 operates 24 hours a day and must balance the needs of staff with the delivery of a high quality and responsive service to patients. The organisation will consider individual flexible working requests and will review options to provide working patterns which offer increased flexibility to staff, in line with our Flexible Working Policy.

We will look to support those with caring responsibilities, as well as to requests to support staff in religious and philosophical belief observance whilst remaining mindful of the needs to deliver a service.

6.6 Terms and Conditions

All employees will be made aware of the terms and conditions and benefits associated with their employment and these will be applied and accessible to them without discrimination.

Changes to protected characteristics through the course of employment will not affect the terms and conditions of service.

6.7 Discipline and Grievance

Discrimination, including bullying, harassment, hate crime or victimisation will be dealt with as serious disciplinary matters under the organisation's Disciplinary Policy and could result in dismissal.

6.8 Complaints

Individuals must not ignore being subjected to, or witnessing, inappropriate behaviour. In the first instance, the employee should try to tell the person that their behaviour is causing offence. If the behaviour does not stop or the employee feels uncomfortable or unsafe in doing this then they can speak to their Line Manager who will discuss their options with them. In the cases where the Line Manager is the person causing offence then you would be encouraged to contact our Whistleblowing Guardian.

Any inappropriate behaviour or complaints by employees relating to breaches of this policy may be dealt with under one or more of the following policies:

- Grievance Policy
- Disciplinary Policy
- Dignity at Work Policy
- Raising Concerns at Work (Whistleblowing) Policy

Complaints from agency workers or contractors, will be dealt with through the policies of their relevant organisation. Any complaints by

members of the public relating to breaches of this policy will be dealt with under the PC24 Complaints Policy.

PC24 will ensure that individuals making complaints will not be victimised for exercising their right to complain.

6.9 Confidentiality

PC24 will endeavour to ensure that any claims of discrimination, bullying, harassment, hate crime or victimisation are taken seriously and dealt with in confidence wherever possible. Where circumstances present conditions that are potentially detrimental to employees' health, safety or welfare, the confines of the confidentiality cannot preclude managerial action to discharge this duty of care.

7.0 RELATED POLICIES

Grievance Policy PC24POL15

Disciplinary Policy PC24POL14

Dignity at Work Policy PC24POL118

Raising Concerns at Work (Whistleblowing) Policy PC24POL102

Recruitment and Selection Policy PC24POL12

Capability Policy PC24POL37

Maternity, Paternity and Adoption Policy PC24POL47

Organisational Change Policy PC24POL

Complaints Policy PC24POL34

Attendance Management Policy PC24POL38

8.0 MONITORING COMPLIANCE

The HR department will collate and review equality monitoring data which will be reviewed and used to identify any differences in experience and representation on the grounds of protected

characteristics, any areas of discrimination and action plans developed.

PC24 will seek to gather a range of equal opportunities data from its employees and applicants to assist in monitoring and identifying any evidence of discrimination, investigating underlying reasons and taking action to remove discrimination and advance and promote equality.

9.0 INFORMATION, INSTRUCTION AND TRAINING

New employees will be made aware of this policy, associated policies and the required standards of behaviour expected of them through induction.

PC24 will seek to ensure that all staff are trained in respect of equality, diversity and inclusion and anti-discriminatory behaviour.

10.0 EQUALITY AND HEALTH INEQUALITIES

PC24 is committed to an environment that promotes equality and embraces diversity and inclusion in its performance as an employer and service provider. It will adhere to legal and performance requirements and will maintain equality and diversity principles through its policies, procedures and processes. This policy has been 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 equality impact analysis conducted where necessary. PC24 will take remedial action when necessary to address any unexpected or unwarranted disparities and monitor practice to ensure that this policy is fairly implemented.

11.0 PERSONAL INFORMATION

This policy complies with the Data Protection Act 2018; therefore, no Privacy Impact Assessment is necessary.

12.0 MAIN REFERENCES

Equality Act 2010.

Health & Social Care Act 2012.

Data Protection Act 2018.

Employment Rights Act 1996

Employment Relations Act 1999

Equality and discrimination: understand the basics – ACAS, 2019

Gender Recognition Act, 2004

Equalities and Health Inequalities – Screening Tool

Version number: V1

First published: November 2016

To be read in conjunction with Equalities and Health Inequalities Analysis Guidance, Quality & Patient Safety Team, Urgent Care 24, 2016.

Prepared by: Quality & Patient Safety Team.

Introduction

The purpose of this Screening Tool is to help you decide whether or not you need to undertake an Equality and Health Inequalities Analysis (EHIA) for your project, policy or piece of work. It is your responsibility to take this decision once you have worked through the Screening Tool. Once completed, the Head of your SDU or the Quality & Patient Safety Team will need to sign off the Screening Tool and approve your decision i.e., to either undertake an EHIA or not to undertake an EHIA.

The Quality and Patient Safety Team can offer support where needed. It is advisable to contact us as early as possible so that we are aware of your project.

When completing the Screening Tool, consider the nine protected characteristics and how your work would benefit one or more of these groups. The nine protected characteristics are as follows:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion and belief
8. Sex
9. Sexual orientation

A number of groups of people who are not usually provided for by healthcare services and includes people who are homeless, rough sleepers, vulnerable migrants, sex workers, Gypsies and Travellers, Female Genital Mutilation (FGM), human trafficking and people in recovery. Urgent Care 24 will also consider these groups when completing the Screening Tool:

The **guidance** which accompanies this tool will support you to ensure you are completing this document properly. It can be found at: <http://extranet.urgentcare24.co.uk/>

Equality and Health Inequalities: Screening Tool

General information	
1	Title: What is the title of the activity, project or programme? Equality and Diversity Policy
A2.	What are the intended outcomes of this work? This policy is intended to communicate PC24's commitment to equality and diversity across the organisation.
A3.	Who will be affected by this project, programme or work? All employees
The Public Sector Equality Duty	
1	Could the initiative help to reduce unlawful discrimination or prevent any other conduct prohibited by the Equality Act 2010? If yes, for which of the nine protected characteristics (see above)?
	Yes <input type="checkbox"/>
	Summary response and your reasons: All protected characteristics. This policy outlines the stance PC24 takes in terms of equality of treatment and opportunity, will communicate this to all staff members and will hold all unacceptable behaviours to account, thereby reducing discrimination

2	Could the initiative undermine steps to reduce unlawful discrimination or prevent any other conduct prohibited by the Equality Act 2010? If yes, for which of the nine protected characteristics? If yes, for which of the nine protected characteristics?		
		No	
	Summary response and your reasons: See above		
3	Could the initiative help to advance equality of opportunity? If yes, for which of the nine protected characteristics?		
	Yes		
	Summary response and your reasons: All protected characteristics. This policy outlines the stance PC24 takes in terms of equality of treatment and opportunity, will communicate this to all staff members and will hold all unacceptable behaviours to account, thereby reducing discrimination		
4	Could the initiative undermine the advancement of equality of opportunity? If yes, for which of the nine protected characteristics?		
		No	
	Summary response and your reasons:		
5	Could the initiative help to foster good relations between groups who share protected characteristics? If yes, for which of the nine protected characteristics?		
	Yes		
	Summary reasons: All protected characteristics. This policy outlines the stance PC24 takes in terms of equality of treatment and opportunity, will communicate this to all staff members and will hold all unacceptable behaviours to account, thereby reducing discrimination.		
6	Could the initiative undermine the fostering of good relations between groups who share protected characteristics? If yes, for which of the nine protected characteristics?		
		No	
	Summary response and your reasons: N/A		
The duty to have regard to reduce health inequalities			
1	Will the initiative contribute to the duties to reduce health inequalities?		
	Could the initiative reduce inequalities in access to health care for any groups which face health inequalities? If yes for which groups?		
	Yes		
	Summary response and your reasons: This policy ensures that all employees are entitled to be treated fairly in regards any disabilities they may have		
2	Could the initiative reduce inequalities in health outcomes for any groups which face health inequalities? If yes, for which groups?		
		No	
	Summary response and your reasons: N/A		

	Will a full Equality and Health Inequalities Analysis (EHIA) be completed?		
1	<p>Will a full EHIA be completed?</p> <p>Bearing in mind your previous responses, have you decided that an EHIA should be completed? Please see notes. ¹ Please place an X below in the correct box below. Please then complete part E of this form.</p>		
			No
	Action required and next steps		
1	<p>If a full EHIA is planned:</p> <p>Please state when the EHIA will be completed and by whom.</p> <p>Name:</p> <p>Date:</p>		
2	<p>If no decision is possible at this stage:</p> <p>If it is not possible to state whether an EHIA will be completed, please summarise your reasons below and clearly state what additional information or work is required, when that work will be undertaken and when a decision about whether an EHIA will be completed will be made.</p> <p>Summary reasons:</p> <p>Additional information required:</p> <p>When will it be possible to make a decision about an EHIA?</p>		
3	<p>If no EHIA is recommended:</p> <p>If your recommendation or decision is that an EHIA is not required, then please summarise the rationale for this decision below.</p> <p>Summary reasons:</p>		

<i>F</i>	<i>Record Keeping</i>		
Lead originator:	P Mullen	Date:	Nov 2019
Director signing off screening:		Date:	
Director rate:		Date:	
Screening published:		Date:	

¹ Yes: If the answers to the previous questions show the PSED or the duties to reduce health inequalities are engaged/in play a full EHIA will normally be produced. No: If the PSED and/or the duties to reduce health inequalities are not engaged/in play then you normally will not need to produce a full EHIA.

