



Local Care Direct Equality & Diversity Policy A-01

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Glossary

Term	Definition
Direct Discrimination	Discrimination against another because of a protected characteristic.
Indirect Discrimination	Discrimination against another due to a provision, criterion or practice being applied to everyone that unfairly disadvantages an individual or group due to a protected characteristic.
Associative Discrimination	Discrimination against another because of an association with someone who has - or is believed to have - a protected characteristic.
Perceptive Discrimination	Discrimination against another because someone is believed to have a protected characteristic – regardless of the veracity of this.
Victimisation	Subjecting an individual to a detriment because he/she has/is believed to have carried out a protected act (bringing proceedings under the Equality Act, giving evidence/information in connection with proceedings under the Equality Act, making an allegation of a contravention of the Equality Act).
Harassment	Unwanted conduct related to a relevant protected characteristic which has the purpose or effect of violating another's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

LCD Equality, Diversity & Inclusion Statement

At LCD we are guided by our values in everything we do and recognise that individuals with different cultures, perspectives and experiences are at the heart of the way Local Care Direct works.

At LCD, we consider that equality means breaking down barriers, eliminating discrimination and ensuring equal opportunities and access for all groups both in the recruitment, training and development of employees and through delivery of our services.

At LCD, we consider diversity to mean celebrating difference and valuing everyone. Each person is an individual with visible and non-visible differences and by respecting this everyone can feel valued for their contributions which is beneficial not only for the individual but for LCD too.

We acknowledge that equality and diversity are not inter-changeable but inter-dependent. There can be no equality of opportunity if difference is not valued and harnessed.

Every employee is entitled to a working environment that promotes dignity, equality and respect for all.

Scope

This policy applies equally to all employees, whether part time or full time on a substantive or fixed-term contract. The broad principles of this policy also apply to associated persons such as sessional staff, agency staff, contractors and those working under a contract of service.

This policy applies to all conduct in the workplace as well as outside of the workplace when related to work (ie: meetings, social events and social interactions with colleagues) and in any situation which may impact on the reputation of LCD (ie: the expression of views via social and other media).

The Policy

All employees have personal responsibility for the application of this policy.

All employees are required to undertake mandatory Equality & Diversity training at the point of employment and every three years thereafter. Employees may also be required to participate in ad hoc training and development activities to encourage the promotion of the principles of this policy and are expected to read and familiarise themselves and comply with this policy.

We will remove unnecessary barriers for our employees seeking opportunities through training and development, promotion and career planning.

We will work within the spirit and the practice of the Equality Act 2010 by promoting a culture of respect and dignity and actively challenging discrimination, should it ever arise.

We will continue to support our leaders, managers and employees to demonstrate the principles of diversity and inclusion in their everyday activities, roles and functions.

We will oppose and avoid all forms of unlawful discrimination. This includes in relation to pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave, requests for flexible working, work pattern, and selection for employment, promotion, training or other developmental opportunities. Selection for employment, promotion, training, or any other benefit will be on the basis of aptitude and ability.

We will not tolerate any acts of unlawful or unfair discrimination, victimisation or harassment committed against an employee, contractor, job applicant or visitor because of a protected characteristic¹.

We will promote dignity and respect for all, and recognise and value individual differences and the contributions of all staff.

LCD acknowledges that inequality can be expressed in patterns and norms of behaviour which may appear acceptable but can lead to exclusion, harassment, under-representation, marginalisation and exploitation of groups and individuals who are not empowered to determine their own interests or unable to challenge their mistreatment. LCD will therefore take steps to address this through effective employee engagement, monitoring and review of employee and patient experiences leading to improvement actions wherever required.

LCD will take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities. Such acts will be dealt with as misconduct under LCD's grievance and/or disciplinary policies and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice. Sexual harassment may amount to both an employment rights matter and a criminal matter (such as in sexual assault allegations). In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

Staff who believe they may have suffered discrimination because of any of the protected characteristics should raise this in the first instance with their line manager or another senior colleague. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the appropriate procedure.

¹ Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation

LCD will ensure that individuals who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will be dealt with under the LCD Disciplinary Policy.

Employees should be aware that they could be personally liable for any acts of discrimination committed. All staff should understand they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, patients, suppliers and the public.

Workers with disabilities: Before a disabled applicant is judged to have failed to meeting the requirements of the job description and person specification or to be less suitable than other applicants, full consideration will be given to whether any reasonable adjustments would make the applicant the best person for the post.

Reasonable adjustments will be made to enable a disabled employee to carry out his/her duties. These may include, but are not limited to, provision of specialist equipment and training, restructuring the job re-allocating part of the job, retraining, flexible working hours, remote working and/or redeployment to a suitable alternative position.

Where an individual requires or may require an adjustment to the working arrangements or environment he/she should bring this to the attention of his/her line manager and HR. The prime responsibility for arranging appropriate adjustments lies with the line manager in consultation with HR. Once an adjustment has been made it should be reviewed at regular intervals.

Responsibilities

All LCD Board members, management and employees share responsibility for creating an environment within which there is equality, genuine inclusion and respect for diversity. This commitment includes training managers and all other employees about their rights and responsibilities under the equality, diversity and inclusion policy.

LCD will monitor the behaviour of employees and agents and reinforce its expectations in support of this policy. It will be a condition of service that employees adhere to this policy and other associated policies and where appropriate LCD will take disciplinary action where this policy is being ignored or breached.

Responsibility for ensuring the effective implementation and operation of the arrangements will rest with the Chief Executive. Directors and Managers will ensure that they and their staff operate within this policy and that all reasonable and practical steps are taken to avoid discrimination. Each manager 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.

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. All members of staff should:

- comply with the policy;
- 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.

Monitoring

LCD will regularly review employment practices and procedures, benefits, terms and conditions of employment and facilities available to ensure they remain in line with the Equality Act 2010 and will update them and this policy to take account of changes in the law.

Monitoring will include assessing how the equality, diversity and inclusion policy and any supporting action plan, are working in practice, reviewing them regularly and considering and taking prompt action to address any issues. LCD may monitor the make-up of the workforce regarding the protected characteristics to ensure the aims and commitments set out in this policy are being met.

Legal Obligation

Fair treatment and protection from discrimination is a fundamental human right and therefore this policy incorporates in principle and in practice the provisions of the Human Rights Act (1998) detailed in Articles 2-14.

LCD will operate a Complaints Policy and Procedure, Grievance Policy and Whistleblowing Policy to provide service users, employees, contractors and others with a means of raising complaints and concerns about unfair treatment.