



## Equality, Diversity and Inclusion Policy

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### Purpose of this Document

This document outlines the policy of Agincare in relation to the Equality and Diversity of staff, people who use services and their families and is held in accordance with the requirements of the Regulations of the Health and Social Care Act (Regulated Activity) Regulation 2014.

The aim of the policy is to communicate the commitment of Agincare to the principles of equal opportunities, diversity and social inclusion in our services and to promote a fairer society and workplace where everyone has the opportunity to fulfil their potential.

### Background

The Equality Act 2010 made provision for Public Sector Equality Duty which the Equality and Human Rights Commission has published guidance on (<http://www.equalityhumanrights.com/private-and-public-sector-guidance/public-sector-providers/public-sector-equality-duty/guidance>) . Equality Duty applies to public authorities and others carrying out public functions. It also ensures that decision making is based on real life experience and evidence of need, rather than arbitrary assumptions and stereotypes.

The Human Rights Act, 1998 provides the right to respect for privacy and family life, freedom of thought, conscience and religion, expression and freedom of assembly.

### Policy Statement

Good care practice needs to stay ahead of the legislation as people using our service are likely to be vulnerable through poor health or disability. This makes us particularly vigilant in wishing to protect them from any sort of discrimination. All staff working in care and support services should be sensitive and responsive to the diverse needs of the people receiving care, to their carers, relatives and representatives.

Agincare recognises that certain individuals and groups in society suffer discrimination and it is Company policy is to provide a service to our service users and staff, irrespective of:

- Gender, including reassignment
- Marital or civil partnership status
- Pregnancy and maternity
- Religious belief or political opinion
- Race (including colour, nationality, ethnic or national origins)
- Disability
- Sexual orientation
- Age

Equality of opportunity also means that an individual's diversity is viewed positively and, in recognising that everyone is different, we will value equally the unique contribution that an individual's experience, knowledge and skills can make.

Agincare is committed to challenging discrimination in all its forms and ensuring that its service users and employees achieve their full potential in an environment characterised by dignity and mutual respect, through our policies, procedures and practices.

Inclusion is about taking positive action to include and engage all groups to promote the closing of gaps in knowledge, understanding and support to those who need it most.

The Equality and Human Rights Commission guidance on the requirements of the Public Sector Equality duty are essentially what any well-run organisation would want to do – to meet the needs of those who work for it and use its services; this duty impacts on Agincare Services through contractual and purchasing and care delivery requirements.

## **Responsibilities**

The Board has ultimate responsibility for the Equality, Diversity and inclusion Policy. It is however the responsibility of the Chief Executive Officer to implement, monitor and evaluate the Equality, Diversity and Inclusion Policy in terms of the Company's compliance to employment practice and service delivery. The Chief Executive is also under a duty to ensure that the Board is regularly kept informed of progress with policy implementation and receives regular monitoring reports. Also for assessing the implications of Board decisions in relation to equality and diversity issues.

All employees will be informed that an Equality, Diversity and Inclusion Policy is in operation and that they are bound to comply with the requirements. The achievement of equality will be the responsibility of every individual within the Company.

Employees and service users have a duty to co-operate with the Company to ensure that this policy is effective to ensure equal opportunities and to prevent discrimination, bullying and harassment. Action under the Company's complaints and disciplinary procedures will be

taken against any employee who is found to have committed an act of improper or unlawful discrimination. Serious breaches of these policies will be treated as potential gross misconduct and could render the employee liable to summary dismissal. Employees and service users should also bear in mind that they can be held personally liable for any act of unlawful discrimination.

It is expected that when employees or Board Members represent the organisation on the committees of other agencies they will endeavour to ensure that equality and diversity principles and practices are adopted by those agencies.

### **Service Users and their Relatives and Representatives**

- Agincare seeks to ensure that its services are accessible to all sections of the communities it serves.
- We will make public its commitment to combating discriminatory attitudes where these are encountered.
- Agincare will attempt to ensure that none of its policies discriminate directly or indirectly against any group or individual.
- We will attempt to find ways of making our service accessible to everyone, including people for whom English is not a first language, people with visual or hearing impairments, and people who live in remote rural areas and/or cannot easily travel.
- We will take all reasonable steps to ensure that all its activities are carried out in premises which are accessible to people with mobility difficulties. In the event that the premises operated by the organisation are not accessible for particular individuals, we will arrange alternative meeting places. This will include committee meetings.
- We will welcome the diversity of people who use services and will always try to ensure that our employees respect the views, rights and behaviour of people from minority groups in all of their contacts with them. We will be particularly alert to, and try to meet, the diverse needs of people in relation to diet, religious practice, respect for their immediate environment, translations and social activities. We welcome the rituals, festivals and celebrations of people we support as bringing interest and variety to daily life in our society, and we will do everything possible to facilitate a persons' capacity to practice their religion or culture in the ways they individually wish to do. Evidence of discriminatory practice, remarks or attitudes among employees will be treated as misconduct.

### **Allegations of Discrimination**

- Any person who feels that they have been the subject of discrimination by an employee should complain as soon as possible to their manager or HR department
- We undertake that the matter will be investigated promptly and in line with our comprehensive Complaints Procedure, and arrangements will be made for alternative staff

to provide the service in the interim, if the allegation is found to be justified appropriate disciplinary action will be taken.

- Agincare's Safeguarding Adults at Risk and other related policies also cover aspects of Equality, Diversity and Inclusion in relation to dealing with allegations or suspicions of abuse of our clients.

### **Discrimination by Service Users**

- We will challenge discriminatory behaviour by people who use services sensitively whether this is directed against staff or other Service Users.
- If discriminatory behaviour, remarks or attitudes are repeated we reserve the right in extreme circumstances to decline further service.
- We are also committed to supporting our staff and informing them of their rights as employees and individuals.

### **Employees**

We will constantly strive to create a productive environment, representative of and responsive to different cultures and groups, where everyone has an equal chance to succeed. Managers will have responsibility to follow guidelines to empower a culture of equality, diversity and inclusion. The environment we create will be free of harassment, bullying and discrimination of all kinds.

All Agincare staff share in the responsibility to embrace and support this vision and must continue to challenge behaviour and attitudes that can prevent us from achieving this. Using fair and objective employment practices, our aim is to ensure that:

- All employees and potential employees are treated fairly and with respect at all stages of their employment.
- All employees will work in a non-discriminatory or anti-discriminatory manner which respects the views, rights and behaviour of people from minority groups and which celebrates their diversity.
- All employees are able to work free from harassment and bullying of any description, and from any other form of unwanted behaviour, whether based on sex, transgender status, marital status, civil partnership status, pregnancy, race, disability, age, political or religious belief or sexuality.
- All employees have an equal chance to contribute and engage to achieve their potential, irrespective of any defining feature that may give rise to unfair discrimination, harassment or bullying.
- All employees will be expected to show commitment to contributing to a culture of continuous improvement and learning based on the competency and diversity of all.

### **Fair and objective employment practices include:**

- Challenging stereotypes
- Protect all from intolerance and persecution
- Supporting employees in balancing their life at work and at home
- Support employees who become pregnant and take active steps to facilitate their return to work after maternity leave.
- Understanding, respecting and valuing differences including racial and cultural backgrounds and perspectives
- Focus on what people can do rather than on what they cannot
- Making appropriate reasonable adjustments in the workplace to help people for example those with a disability to achieve their full career potential
- Emphasising benefits of a diverse workforce

**The diversity of the communities we serve is reflected at all levels within our workforce.**

### **Communication/Publications**

- The 'Equal Opportunities Statement' is displayed in all of our service locations, visible to staff and visitors. Staff will know where to access the policy upon appointment and whenever the policy is modified.
- The Company will seek to ensure that publicity and promotional material will demonstrate positive images of the diversity of the workforce and service provision.
- Complaints from people using our services will be through Agincare's Complaints Management Policy and Procedure.
- The Company's grievance and disciplinary procedures will be used to deal with any complaints about discrimination, harassment or bullying involving staff.

### **Monitoring and Evaluation**

Agincare will regularly evaluate its services and the effectiveness of its Equality, Diversity and Inclusion Policy, by a variety of means.

Monitoring may be carried out by the organisation to provide the data for this regular evaluation. For instance, we may ask service users using our services, job applicants, volunteers and trustees for information about their ethnic origin, disability, marital status, age or other personal information. We will only do this for a specific defined purpose such as collecting statistical data for commissioners, for research or for our own monitoring to evaluate this policy's impact.

The Company will be sensitive to groups and individuals and will have due regard for the principles of data protection when seeking information.

### **Breaches of Equality Policy**

The Company regards discrimination, harassment, abuse, victimisation or bullying of staff, service users or of others in the course of work as disciplinary offences that could be regarded as gross misconduct. Condoning such behaviour could also be treated as a

disciplinary offence. As well as disciplining the perpetrator(s), we will give appropriate support to people who complain of harassment of themselves or others. Guidelines for managers to support this policy are available covering anti bullying and harassment and Anti Discriminatory practice.

### **Contractual impact**

Agincare's policies and procedures are to be followed in conjunction with the requirements of the contracts under which you provide services. There may be occasions where the contract contains requirements which appear to contradict or be in addition to, standard Company policy. In these instances you are to:

- If the requirement is in addition to standard Company policy - adhere to the terms and conditions of your contracts
- If the requirement is lesser than standard Company Policy - follow Company policies and procedures

If you require any further clarification please contact the Commercial Department for guidance

### **Training**

The management team of Agincare believe that, in order to provide a quality service, Agincare requires high quality of employees who are suitably trained, supervised and supported.

Agincare policies and procedures are referenced in the induction programme and are available for staff in their work place (Care Home or Branch office). Staff will be informed of how to access all policies, procedures and related documentation and of how to seek further advice regarding Agincare's agreed ways of working. Staff should be provided with regular updates to encourage continuous improvement and include latest good practice.

Agincare is committed to provide an ongoing programme of support for all staff. This includes supervisions, appraisals and training which will be in line with company policy, contractual obligations and current best practice

### **REVIEW OF THIS POLICY**

Review of this document is recorded on the controlled index and reviewed annually as part of the management review process.

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