

EQUALITY AND DIVERSITY POLICY

1.0 INTRODUCTION

Nugent is committed to promoting equality of opportunity, celebrating and valuing diversity, eliminating unlawful discrimination, harassment and victimisation, including cyber or e-bullying and harassment, and promoting good relations. We are committed to achieving equality for all by reducing discrimination in employment and service delivery.

Equality means ensuring people are treated fairly, giving them equal access to services and employment. Diversity is about valuing differences, whatever an individual's background.

In the Equality Act 2010 harassment is defined as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'.

Victimisation means any detrimental action taken against an individual because they have raised a complaint about discrimination or harassment.

Detrimental messages or images sent to individuals electronically via mobiles or other devices or posted on external websites could amount to cyberbullying or harassment.

People with a history of offences

We recognise that people with an offending history can also experience discrimination. We will make all efforts to prevent discrimination or other unfair treatment against our staff or service users regardless of their offending history so long as this does not create a risk to the organisation, children and young people or vulnerable adults.

2.0 REFERENCES

The following documents are referenced or associated with this policy:

- Bullying & Harassment procedure
- Disciplinary & Grievance procedures
- Professional Boundaries policy
- Dignity at Work/Staff Behaviour policy

3.0 STATEMENT OF COMMITMENT

Nugent will not discriminate on the grounds of any of the protected characteristics covered by the Equality Act 2010 – i.e. age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation, and will give protection from discrimination, harassment and victimisation.

This commitment applies to all of our stakeholders:

- Staff
- Service Users
- Relatives
- Contractors
- Visitors

This commitment supports and upholds the iACCORD values and behaviours of Nugent, which aim to create a culture where everyone is treated with compassion, respect and dignity. A summary of these expected behaviours is attached as Appendix 2.

Nugent has a zero tolerance approach to any acts of aggression, violence or intimidation, or harassment (both physical and non-physical), from any member of staff, service user, visitor or member of the public, especially where such acts are in connection with a protected characteristic. Nugent is committed to the creation of a culture and environment where both employees and service users have no fear of harassment, abuse, or violence, or victimisation.

As an organisation, we are committed to reducing risk and to having in place the procedures and measures referred to in Section 4 below to prevent or otherwise manage situations involving aggression or harassment should they arise.

Through service delivery, the procurement of goods and services and through our workforce and our relationships with partners and stakeholders, we will strive to:

- Meet all legal equality duties, exceeding them where we can, and follow Codes of Practice published by the Equality and Human Rights Commission.
- Carry out an equality analysis of all new or changing policies, plans, practices and procedures.
- Ensure that the allocation of financial resources takes into account equality and diversity considerations.
- Ensure that our jobs are accessible to all people and that our workforce is diverse and representative of the local community.
- Treat our staff equitably in all areas of employment, including career development, pay, training and promotion, and continually review Human Resource policies to assess their impact on the groups covered by this policy. This includes monitoring recruitment,

promotion, retention, training opportunities and take up, grievances, disciplinary procedures and exit from employment.

- Tackle all forms of harassment and bullying in the workplace, including cyber-bullying.
- Offer information about services in appropriate formats and languages.
- Tackle all forms of hate crime and harassment and promote safety and security.
- Uphold the right of all staff and service users to be treated with dignity and respect by fostering an environment free from ridicule, bullying, intimidation and victimisation.
- Offer a range of family friendly policies which are designed to give employees the chance, where possible, to take time off and to help employees achieve a work-life balance.

4.0 PUTTING POLICY INTO PRACTICE

Nugent will use a number of methods to progress our commitment to equality and diversity including:

- Reflection in Wider Policies
- Nugent will ensure that our commitment to Equality and Diversity is explicit in wider policies within the organisation.
- Impact Assessment and Equality Analysis

Nugent uses a process of impact assessment and equality analysis to support the development of inclusive and responsive policies, procedures and service provision. These assessments are carried out when a new policy, procedure or service is being developed or significantly changes, where a service review is taking place or where a potential inequality has been identified. The assessment includes an analysis of impacts on protected characteristics.

Systems are in place to monitor and evaluate the uptake of impact assessments across Nugent and to take action where needed.

Staff

All staff are responsible for maintaining awareness of equality and diversity issues in their daily working environment, for behaving appropriately and for fostering a culture which promotes dignity and respect.

All staff have a vital role to play in this through protecting themselves, participating in appropriate training, reporting of incidents and taking appropriate action against perpetrators of harassment, abuse or violence.

Harassing a person because of a protected characteristic is unacceptable behaviour, contravenes Nugent policies, and is unlawful under the Equality Act 2010.

Staff must be aware of the types of behaviour in the workplace which may be interpreted by the recipient as harassment on the basis of a protected characteristic. This could include;

- Inappropriate humour and jokes, sexually explicit remarks or innuendoes
- Creating or repeating false/malicious rumours
- Remarks based on stereotypes
- Being too tactile or using inappropriate body language/ gestures

Although the perpetrator may view this behaviour as unintentional or harmless banter it is the impact the behaviour had on the individual (or group) that is the most important factor. It is not so relevant whether the individual intended to cause offence, but rather that offence was caused by the conduct.

Harassment may be considered as possible grounds for disciplinary action. Staff who become aware of a breach of this policy have a responsibility to report this to the appropriate person (see 5.0 below).

Nugent has a responsibility to ensure that appropriate support is given to staff by;

- Taking appropriate action against service users who harass, assault, threaten or abuse staff
- Providing support to individuals who have been a victim of harassment, assault or abuse.

Training

Equality and diversity education, teaching and learning will be the foundation of our organisational culture and we will support our staff to recognise and respect the diverse backgrounds of colleagues and customers. All of our training activities will include equality and diversity as a common theme. All staff, including senior managers, are required to undertake compulsory Induction training upon commencement, which refers to this policy.

Procurement

Nugent has embedded its equality considerations into the Procurement

Strategy and policies to ensure relevant equality issues are taken into account, when they are applicable. We are committed to ensuring a robust approach to the inclusion of equality issues throughout the procurement cycle.

Understanding the needs of service users

Nugent is committed to undertaking robust evaluation of service provision generally and specifically for its impact on service users. Eliminating inequality is key to delivering services that meet their outcomes and expectations.

5.0 RESPONSIBILITY FOR THIS POLICY

The Executive Leadership Team and the Senior Leadership Team have responsibility for overseeing implementation of the Policy and the monitoring process. Managers are responsible for ensuring that all aspects of their services comply with this Policy.

All staff are expected to uphold this Policy in their dealings with colleagues, service users, and other members of the community when carrying out their duties and in all

aspects of service delivery. To assist in the elimination of discrimination, staff are required to report instances of discrimination, harassment or bullying to their manager at the earliest opportunity so that appropriate action can be taken.

6.0 COMPLAINTS

All staff and service users have the right to make a grievance/complaint. This will be dealt with promptly and fairly in confidence, under the appropriate procedure.

Any employee who considers that s/he has been treated unfairly discriminated against or harassed because of a protected characteristic may raise a grievance via Nugent's Grievance policy, or the Bullying & Harassment policy. Nugent treats acts of discrimination and harassment extremely seriously and will seek to safeguard all parties during the investigation of allegations.

7.0 MONITORING AND REVIEW

In accordance with the 'Disability Confident Employer' Scheme, line managers will consult with disabled staff annually to ensure their individual situation is being treated appropriately.

Statistics relating to staff with protected characteristics will be analysed annually to report on trends and ensure fairness in the application of Nugent terms and conditions.

Equality Impact Assessments are completed for new and amended policies and procedures.

Monitoring Equality and Diversity Issues for service users is part of the regular audits carried out by the QA Officers in both adult and childcare sectors.

8.0 DOCUMENT HISTORY

Policies are reviewed at least every 2 years.

This document was created January 2014 and reviewed/updated Dec 15, Apr 16, Dec 17, Aug 18.

Appendix 1

DISABILITY IN EMPLOYMENT

Nugent operates in accordance with the DWP 'Disability Confident Employer' scheme.

1. Person Specifications

When creating person specifications, staff should be careful to distinguish between the essential and desirable criteria to be used to consider applications for posts, since, arising from our commitment to the DWP Scheme, all applicants who disclose a disability are entitled to interview if they meet the essential criteria.

2. Vacancies

Every vacancy will be open to suitably qualified persons with a disability subject to safety considerations, and with the exceptions of any posts that may be internally ring-fenced for staff that may be at risk of redundancy.

In accordance with the Scheme, Nugent guarantees to interview all applicants with a disability who meet the minimum (essential) criteria of the person specification for a job vacancy. Decisions about applicants for posts will be taken by recruitment selection panels.

At interview, any reasonable adjustment must be made that is needed to ensure that an individual with a disability is not at a substantial disadvantage compared to other applicants.

Following an offer of employment being made an assessment will be carried out (by the Manager in consultation with HR and Occupational Health) to determine adjustments that may need to be considered and whether they are reasonable and practicable. The following issues should also be addressed at this point:

3. Health and Safety

Special arrangements may be necessary to ensure that a person's disability does not create any hazard for themselves or for others. Risk assessments should be undertaken. (Please refer to the Health, Safety & Environmental Manager for further advice/support).

4. Travel to Work

In certain cases, Access to Work grants can be arranged. (Please refer to the HR Department).

5. Disability Leave

Allowing a person with a disability time off from work for treatment or for rehabilitation arising from their disability should be regarded as a 'reasonable adjustment'. (For further information please refer to HR).

6. Training

Wherever reasonable and practicable, adjustments will be made to enable all staff with a disability to have access to training and development opportunities.

7. Facilities

Employees who find they have access difficulties should apply to their Head of Establishment/Section for the use of reserved bays for disabled drivers.

It is the responsibility of those who arrange meetings, training, etc to ensure that they have booked a room which is accessible and suitable to staff with mobility needs and with visual or hearing impairment. If this is not possible it is the responsibility for the organiser to ensure that alternative arrangements can be offered if required.

Advice on emergency evacuation of buildings can be obtained from the Health, Safety & Environmental Manager. Managers of staff whose disability prevents them from following the usual emergency evacuation procedures for a particular building have a responsibility to put arrangements in place for their safe evacuation in the event of an emergency. This may involve assistance in leaving the building or to reach a 'fire protected area' from which the Fire Brigade will assist in evacuation if necessary. Heads of Establishments/Projects/Sections or their nominated representatives with support of the Health, Safety & Environmental Manager should assess the suitability of buildings and needs of individuals with a disability in conjunction with them.

Clutter in rooms, and in corridors, is one of the greatest detriments to people with various forms of disability. It is the responsibility of all staff to ensure that rooms and corridors are kept clear and accessible.

8. Physical Access

Nugent's Assets & Facilities Department and Registered Managers/Heads of Projects/Departments have conducted building audits to address issues of access for staff with disabilities. Individual action plans for improvement and alterations have been created. For information please contact Assets & Facilities.

9. Retention

Nugent will aim to continue employing any individual who becomes disabled and will explore ways in which that can be achieved with as much flexibility as it's operationally possible.

If such a situation arises, managers should seek advice as soon as possible from HR. Nugent will consider reasonable adjustments and alternatives to enable a person to remain employed, for example:

Continuing in the same post, with reasonable adjustments
Redeployment, with training if necessary

The above list is illustrative but not exhaustive. In all cases the member of staff concerned will be consulted. The member of staff is expected to cooperate with any arrangements subsequently agreed.

If practicable, reasonable adjustments and alterations are not possible, then Nugent will enter into a consultation process in line with relevant HR procedures regarding other courses of action, which may be necessary.



STATEMENT OF OUR VALUES, BELIEFS AND COMMITMENTS

	Values	Beliefs	Our Commitments	Management Commitments
	<i>These are the founding principles for our beliefs and behaviours.</i>	<i>These are the beliefs that we have as an organization based on our values.</i>	<i>These are the behaviours to which all staff and managers should make a personal commitment, and can expect from others, given our shared values and beliefs.</i>	<i>In addition, managers at all levels should commit to these behaviours in their work.</i>
i	Integrity	We are strong. The way we work is open, honest and transparent. This helps us to create a fairer and more equal society for everyone.	<ul style="list-style-type: none"> - We are consistent, open and fair. - We are inquisitive and open to ideas. - We share knowledge and information with each other. - We confront ethical and legal dilemmas immediately. - We use resources entrusted to us responsibly. 	<ul style="list-style-type: none"> - We do what we say we are going to do. - We ensure our decisions are underpinned by our values. - We are open and provide constructive feedback.
A	Ambition	We are ambitious for the people we work with and for, because they are amazing. We can do more by working with other people and organisations that share our ambition.	<ul style="list-style-type: none"> - We are collaborative. - We constantly strive to be outstanding. - We make a positive difference. - We ensure we deliver high quality care. - We work as a team to ensure our success. 	<ul style="list-style-type: none"> - We manage our finances diligently. - We focus on the balance between important business issues for the charity and care provision. - We continue to ensure we maintain a skilled, emotionally intelligent and diverse workforce. - We ensure that we are seen as a provider of choice and quality services by our regulators.

C	Courage	We are brave. We encourage the people we work with and for to be brave. We are the voice of the voiceless.	<ul style="list-style-type: none"> - We keep people safe. - We bravely travel new roads and build up or challenge accepted wisdom and practice. - We are brave enough to have difficult conversations. - We take on difficult times in the best interest of the service user. - We are accountable and take responsibility. - We learn from our mistakes. 	<ul style="list-style-type: none"> - We clarify our expectations with each other and promote change. - We advocate and are the voice of the voiceless.
C	Compassion	We care. We have always cared. Our caring is limitless and helps us reach as many people as possible.	<ul style="list-style-type: none"> - We ensure that our decisions are made with the best interest of our service users in mind. - We treat others as we wish to be treated. - We show that we care by being kind. - We are comforting. 	<ul style="list-style-type: none"> - We continue to make our services available to people who are most in need of them. - We ensure our care is evidence and outcome based.
O	Optimism	We believe in hope. We have faith that by working together, we can create better lives for the people who need us.	<ul style="list-style-type: none"> - We believe we will succeed. - We are solution focused. - We celebrate our successes. - We are eager for innovation. 	<ul style="list-style-type: none"> - We use appreciative enquiry to identify achievements and clarify our understanding of them.
R	Respect	We respect people because of their humanity. By respecting people and their individual needs, we build better services that create positive change.	<ul style="list-style-type: none"> - We show consideration for one another. - We respect each other's views and listen. - We care for the environment. 	<ul style="list-style-type: none"> - We give praise where it is due, and challenge where we need to. - We respect the spirit of our Collective Agreement with Unison. - We continue to involve service users in the planning and development of services.
D	Dignity	<p>We embrace equality and diversity.</p> <p>We treat people with dignity – helping them to grow and thrive.</p>	<ul style="list-style-type: none"> - We value and respect equality and diversity. - We treat people well knowing they are valuable and important. - We respect individuals' privacy. - We provide a service that we would be happy to receive ourselves. 	<ul style="list-style-type: none"> - We strive to provide dignity at work. - We are supportive of the Living Wage and Equal pay for equal work.