

Equality, Diversity & Inclusion Policy

Approved by	The Board of Trustees
Date of Approval	October 2023
Date of Review	October 2026
Originator	Chief Executive Officer (CEO)
Title	Equality, Diversity & Inclusion Policy
Description of document	This policy sets out The Norfolk Hospices Tapping House's' commitment to equality, diversity and inclusion (EDI) at work and includes an equality impact assessment document
Scope	For all employees, volunteers, patients and visitors of The Norfolk Hospice Tapping House (NHTH)
Author and designation	Lynn Lockheart – Director of Operations & Retail
Equality impact assessment (EIA)	Reviewed in October 2023 with no negative impact
Associated documents	Prevention of Harassment and Bullying Policy NHTH Equality Impact Assessment Policy
Supporting references	National Care Standards Commission Core Standard C9.8 Equality Act (2010) https://www.crunch.co.uk/knowledge/employment/equalopportunities-and-discrimination-equality-act-2010/ viewed 22/6/2018 Employment Policy Procedure, keeping in mind the Employment Equality (Age) Regulations of 2006
CQC outcomes	I & I4
Consultation or development process	Senior Leadership Team
Training implications	All staff to be made aware at induction
Dissemination	This policy is kept in the S/drive of the Hospice server and a paper copy is held with the Ward Clerk on IPU. It is disseminated via team brief and team leads
Audit plan	Compliance with this policy is monitored through the Staff Induction Handbook and through meetings with Line Managers through the induction process and appraisal system.
Approval process	Senior Leadership Team
Ratification process	Board of Trustees
Review arrangements	3 years from date of publication or sooner should changes to legislation or guidance require it
Date of issue	February 2015
Archiving arrangements	This document will be archived in line with the policy for procedural documents.

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CAUTION: You must refer to the S Drive / Policies & Procedures folder for the most recent version of this policy.

Version History Log

Version	Date Published	Details of Key Changes	Name
3	June 2018	Added equality Act to references	L Carter
4	February 2020	Title change and changes to update policy content	L Lockheart
5	August 2023	Title change Updated with best practice Inclusion of 'Our commitment to you' Inclusion of 'What we expect from you' Expansion on discrimination Expansion of bullying and sexual harassment Training, promotion and Career development replaced with Equality of Opportunity	L Lockheart

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Introduction

The Norfolk Hospice Tapping House (NHTH) recognises that every person is an individual with different needs, preferences and abilities. It aims to reflect this diversity in everything it does, including making its services inclusive and accessible to individuals from all sections of the community and attracting and retaining a diverse workforce. NHTH believes that harnessing different life experiences, attributes and contributions from staff, volunteers and service users will make the organisation a more effective and inclusive organisation and a better place to work.

This policy sets out our approach to equal opportunities and the avoidance of discrimination at work. It applies to all aspects of employment with us, including pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities. It also covers the treatment and conduct of volunteers.

Purpose

To support our inclusive culture, this policy:

- Outlines our commitment throughout the employment lifecycle to equality, diversity and inclusion and sets out how we put this commitment into practice;
- Explains the behaviours we expect of our people in support of this commitment; and
- Sets out the key steps we take to make our culture as inclusive as possible, and how we ensure equality of opportunity throughout the employment lifecycle.

This policy does not form part of our contracts of employment and we reserve the right to amend or withdraw it at any time.

Scope

This policy applies to anyone working for us. This includes employees, workers, volunteers, work placements and contractors. This policy also relates to job applicants, and is relevant to all stages of the employment relationship.

This policy accompanies our Prevention of Bullying & Harassment policy.

Provision of Services

NHTH aims to provide high quality holistic care for adults with life-shortening illnesses whenever they need us, enabling them to live life as well as possible for as long as possible. Every service user will be treated in a professional manner, with courtesy and respect. Users of our services and those who take part in our activities will be informed that NHTH is committed to an Equality, Diversity and Inclusion Policy so that:

- They will know a policy exists and a copy is available so as to guide all members of the organisation and others to share the commitment and code of practice of Equality and Diversity.
- All who come into contact with NHTH will know the standards that we are trying to achieve and have the opportunity to assist us in trying to achieve them.
- They will know they have the right to complain, if they feel these standards are not being adhered to or are dissatisfied with the service provided to them.
- NHTH will make sure that its services meet the needs of its diverse communities by involving communities in identifying their needs and by seeking to meet these needs. NHTH will develop services to make sure there is maximum take up by all communities and particularly those groups facing disadvantage and discrimination. It will do this by:
- Providing information in an easy to understand language and use methods other than written documents to present information as appropriate.
- Offering information on request in accessible formats, including spoken community languages, large print, audio tape/CD, on DVD in British Sign Language and on the internet as appropriate.
- Accessing interpretation, translation and sign language services on request as appropriate.

Our commitment to you

We believe that a culture of equality, diversity and inclusion not only benefits our organisation but supports wellbeing and enables our people to work better because they can be themselves and feel that they belong.

We are committed to promoting a working environment based on dignity, trust and respect, and one that is free from discrimination, harassment, bullying or victimisation.

We ensure that our recruitment, promotion and retention procedures do not treat people less favourable because of their:

- Disability;
- Gender, gender identity or gender reassignment status;
- Marital status;
- Race, racial group, ethnic or national origin, or nationality;
- Religion or belief;
- Sexual orientation;
- Age;
- Civil partnership status;
- Pregnancy or maternity;
- Paternity;
- Educational background;
- Socio-economic background;
- Caring responsibilities;
- Part time status;
- Fixed term status;

What we expect from you

We expect you, and every one of our people to take personal responsibility for observing, upholding, promoting and applying this policy. Our culture is made in the day to day working interactions between us so creating the right environment is a responsibility that we all share.

Cultivating this culture does not happen by accident but requires ongoing commitment and nurturing. The reality is that we live in a world where areas of difference (whether gender, sexual orientation, ethnicity or others) often translate to biases, challenges and barriers that may not be faced by others. And the more areas of difference a person brings the more this effect can be compounded. In this way, the experiences of a black woman with a disability may be very different to the experiences of a black woman without a disability and very different from the experiences of a white woman. This way of looking at diversity and inclusion is known as “intersectionality”.

We expect you to treat your colleagues and third parties (including patients, customers, suppliers, contractors and consultants) fairly and with dignity, trust and respect. Sometimes. This may mean allowing for different views and viewpoints and making space for others to contribute.

By embedding such values and constructively challenging inappropriate comments or ways of working, you can help us achieve and maintain a truly inclusive workplace culture.

Any dealings that you have with colleagues or third parties must be free from any form of discrimination, harassment or bullying.

If any of our people is found to have committed, authorised or condoned an act of discrimination, harassment, victimisation or bullying, we will take action against them including (for those to whom it applies) under our Disciplinary procedure.

You should be aware that you can be personally liable for discrimination and harassment.

Discrimination

The Equality Act 2010 prohibits discrimination because of certain protected characteristics. These are:

- Disability;
- Sex;
- Gender reassignment;
- Marital or civil partnership status;
- Race;
- Religion or belief;
- Sexual orientation;
- Age; and
- Pregnancy or maternity

Discrimination can be intentional or unintentional and may occur directly, indirectly, by association, or by perception (see Different types of discrimination under the Equality Act 2010).

There are also two specific types of discrimination that apply only to disability: "discrimination arising from disability" and "failing to make reasonable adjustments" (see Different types of discrimination under the Equality Act 2010).

Discrimination is not always obvious and can be subtle and unconscious. This stems from a person's general assumptions about the abilities, interests and characteristics of a particular group that influences how they treat those people (known as "unconscious bias"). Such assumptions or prejudices may cause them to apply requirements or conditions that put those in particular groups at a disadvantage.

Examples include:

- Steering employees into particular types of work on the basis of stereotypical assumptions without considering the particular attributes and abilities of individuals;
- Recruiting or promoting individuals into particular roles because of assumptions about the reactions or preferences of other employees or clients; and
- Using different standards for different groups of employees to judge performance.

Different types of discrimination under the Equality Act 2010

- Direct discrimination: Treating someone less favourably because of a protected characteristic compared with someone who does not have that characteristic (for example choosing not to recruit someone because they are disabled and you think they "wouldn't fit in" to the team).
- Indirect discrimination: Where a policy, procedure or way of working that applies to everyone puts people with a particular protected characteristic at a disadvantage, compared with people who do not have that characteristic, unless there is a good reason to justify it. An example is introducing a requirement for all staff to finish work at 6pm. It is arguable that female employees, who statistically bear the larger share of childcare responsibilities could be at a disadvantage if the new working hours prevent them from collecting their children from school or nursery.
- Associative discrimination: Treating someone less favourably because they are associated with someone who has a protected characteristic, for example because their partner is transgender.
- Discrimination by perception: Treating someone less favourably because you perceive them to have a protected characteristic even if they do not, for example choosing not to promote someone because you mistakenly perceive them to be gay.
- Discrimination arising from disability: Treating someone unfavourably because of something connected with that person's disability and where such treatment is not justified. Examples include:
 - Dismissing or failing to pay a bonus to someone because of their disability-related absence; or
 - Disciplining someone for losing their temper where such loss of temper was out of character and was due to severe pain caused by them having cancer.
- Failing to make reasonable adjustments: Employers are legally obliged to make reasonable adjustments to ensure that aspects of employment, or the employer's premises, do not put a disabled person at a substantial disadvantage. Failing to comply with this duty is unlawful. Examples of reasonable adjustments might include:
 - Allocating some of the disabled person's duties to a colleague;
 - Changing their working hours or place of work;

- Adjusting procedures for assessing job candidates; and
- Modifying disciplinary and grievance procedures.

Harassment and Sexual Harassment

Harassment is unwanted conduct related to a protected characteristic that has the purpose or effect of:

- Violating someone else's dignity; or
- Creating an intimidating, hostile, degrading, humiliating or offensive environment for someone else.

Sexual harassment is:

- Conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment; and
- Less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.

You should refer to our Prevention of Bullying & Harassment policy for further information on our procedure for reporting harassment.

Victimisation

Victimisation is treating another person detrimentally either because that person has made a complaint of discrimination or harassment, or because they have supported someone else who has made such a complaint, for example by giving a witness statement that supports the allegations.

Bullying

There is no legal definition of bullying. However, we regard it as conduct that is offensive, intimidating, malicious, insulting, or an abuse or misuse of power, and usually persistent, that has the effect of undermining, humiliating or injuring the recipient.

Bullying can be physical, verbal or non-verbal conduct. It is not necessarily face to face and can be done by email, phone calls, online or on social media. Bullying may occur at work or outside work.

If the bullying relates to a person's protected characteristic, it may also constitute harassment and, therefore, will be unlawful (see Harassment).

You should refer to our Prevention of Bullying & Harassment policy for further information on our procedure for reporting bullying.

Equality of Opportunity

Recruitment

We take reasonable and appropriate steps to encourage job applications from as diverse a range of people as possible.

Anyone making a decision about recruitment must not discriminate in any way.

Every decision-maker should challenge themselves, and other members of the recruitment selection panel, to make sure that any stereotypes, unconscious bias or prejudice do not play any part in recruitment decisions.

Career development

Any decision you make relating to a person's promotion or career development must be free from discrimination.

We ensure that selection criteria and processes for recruitment and promotion are reviewed on a regular basis so that there is no discriminatory impact on a certain group.

Disability inclusion

Recruiting people with a disability

The recruitment team will consider disability in advance of a recruitment campaign so that advertising, application forms and assessments, arrangements for interviews, job descriptions and employee specifications, and selection criteria are appropriate and as inclusive as possible.

We will ask applicants at the outset if they require any reasonable adjustments to be made to the recruitment process. These may include [ensuring easy access to the premises for an interview/adapting psychometric tests/replacing psychometric tests with an alternative option/providing an alternative to a telephone interview for a deaf candidate/providing a suitable chair for an interview with a candidate suffering from back problems. If you are involved in the interview process, you must not ask job applicants about their health or disability except with prior approval from the Director of Operations. Such approval is given only in exceptional circumstances and where there are specific legal grounds for doing so.

Talking about disability

We understand that some people find it hard to discuss their disabilities and that disability can be invisible.

Psychological safety, where people feel able to speak up about their experiences without fear of negative consequences, is paramount to ensuring disability inclusion.

However, this is only possible if we treat people with dignity, trust and respect and we expect everyone to uphold these values.

We do not tolerate ableist language in our organisation. Ableist language is language that is negative, inappropriate or offensive towards people with a disability and may take the form

of jokes or "banter". If you adopt such language, we will take action against you including (for those to whom it applies) under our Disciplinary procedure.

Reasonable adjustments

If you have a disability, you do not have to tell us. However, we would encourage you to let us know so that we can support you, for example by making reasonable adjustments to our premises or to aspects of your role, or to our working practices.

If you are experiencing difficulties at work because of your disability, please contact your line manager or the HR team to discuss potential reasonable adjustments that may alleviate or minimise such difficulties. We may need to discuss your needs with you and your medical adviser to help us get the right support in place.

Breaches of this policy

NHTH takes seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, volunteers, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities.

We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal without notice.

If an employee believes that they have suffered discrimination the matter can be raised through NHTH Grievance Procedure or Prevention of Bullying & Harassment policy. Complaints will be treated in confidence and investigated as appropriate.

Employees must not be victimised or retaliated against for complaining about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary Procedure.

Policies and Procedures

NHTH aims to develop positive policies to promote equality of opportunity in employment and to attract a high quality of candidates for posts.

All policies will have an Equality Impact Assessment (see Appendix I) reviewed by the Senior Leadership Team (see EIA policy).

Appendix I – Equality Impact Assessment

Equality Impact Assessment				
Name of Document		Equality, Diversity & Inclusion Policy		
Date of assessment October 2023		Date of review October 2026		
Which area: Care/Finance/Retail	All	Senior Leadership Committee Approval	y	
	Positive Impact	Negative impact	No Impact	Comment
Does the document affect one protected characteristic less or more favourably than another on the basis of:				
Race			x	
Gender including transgender			x	
Religion or belief			x	
Sexual orientation, to include heterosexual, lesbian, gay and bisexual people			x	
Age			x	
Marriage and Civil Partnership			x	
Pregnancy and Maternity			x	
Disability including learning disabilities, physical disabilities, sensory impairment and mental health issue's			x	
Does this document affect an individual's human rights? See list in EQA Guideline document				
Name which Human Right			x	
If there is potential discrimination, are the exceptions valid, legal and/or justified?				
If yes, what is the action e.g.? - Adjust the policy to remove disadvantage identified or better promote equality - Continue the policy to demonstrate that such a disadvantage or advantage can be justified or is valid				
If neither of the above possible, submit to SLT for review				
Name of assessor	Lynn Lockheart	Date	10 October 2023	