

# Equality and Diversity Policy

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Clinical Partners  
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## Policy Statement

Clinical Partners Limited recognises that discrimination and victimisation is unacceptable and that it is in the interests of the Company and its employees to utilise the skills of the total workforce. The Policy sets out the framework by which Clinical Partners will deliver its services and provide employment opportunities ensuring compliance with equality legislation.

It is the aim of the Company to ensure that no employee or job applicant receives less favourable facilities or treatment (either directly or indirectly) in recruitment or employment on grounds of age, disability, gender / gender reassignment, marriage / civil partnership, pregnancy / maternity, race, religion or belief, sex, or sexual orientation.

1. Our aim is that our workforce will be truly representative of all sections of society and each employee feels respected and able to give of their best.
2. We oppose all forms of unlawful and unfair discrimination or victimisation. To that end the purpose of this policy is to provide equality and fairness for all in our employment.
3. All employees, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.
4. Our staff will not discriminate directly or indirectly, or harass customers or clients because of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation in the provision of the Company's goods and services.
5. This policy and the associated arrangements shall operate in accordance with statutory requirements. In addition, full account will be taken of any guidance or Codes of Practice issued by the Equality and Human Rights Commission, any Government Departments, and any other statutory bodies.

## Our Commitment

- To create an environment in which individual differences and the contributions of all our staff are recognised and valued.
- Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated.
- Training, development and progression opportunities are available to all staff.
- To promote equality in the workplace which we believe is good management practice and makes sound business sense.
- We will review all our employment practices and procedures to ensure fairness.
- Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings.

## Responsibilities of management

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

Each manager will ensure that:

Appropriate mandatory training will be provided to ensure that staff and managers understand their responsibilities under the Equality & Diversity Policy.

- 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 in line with Company Policy.
- Accurate records are maintained.
- There is an understanding of Discrimination as outlined in Appendix 1.

## Responsibilities of staff

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. In particular, all members of staff should:

- comply with the policy and arrangements;
- 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 as described in Appendix 2.
- 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.

## Responsibilities to Service Users

Our Equality and Diversity policy is in place to protect staff as well as Service Users. We have to bear in mind at all times that we may be working with vulnerable people within Society and make reasonable adjustments in our practice and interaction to meet their needs in a respectful manner.

Our practitioners may be working therapeutically with people from diverse cultures and we have to take this into consideration in our practice. We must therefore consider the background of our clients and consider whether the model of therapy we are using fits both their ethnic, cultural, racial or religious background or whether indeed our practice is tailored to their sexual orientation or degree of disability.

The therapy environment may need to be adapted to meet the needs of clients. Thus religious ornaments relating to a particular religion may give a sense of an exclusive environment for clients of other religions. This may be referred to as Indirect Discrimination against our clients. Whereas Direct Discrimination takes place when you are clearly acting in a discriminatory manner.

Please note that both BACP and UKCP are specifically opposed to any form of therapy that purports to 'cure' gay, lesbian or transgender people and this is considered to be unethical practice. Clinical Partners support this view.

The therapy environment must be adjusted or adapted to meet the needs of disabled clients. Please contact your triage advisor if you need any advice on this.

If you are in doubt about any aspect of your practice with regard to discrimination please call your triage advisor to discuss this.

Please read the BACP new code of ethical practice for direction on Ethical Practice:

[https://www.bacp.co.uk/docs/pdf/15512\\_ethical%20framework%202013.pdf](https://www.bacp.co.uk/docs/pdf/15512_ethical%20framework%202013.pdf)

Please also refer to the Royal College of Psychiatrists Guide on Ethics:

<http://www.rcpsych.ac.uk/files/pdfversion/CR186.pdf>

## Third parties

Third-party harassment occurs where a Company employee is harassed, and the harassment is related to a protected characteristic, by third parties such as clients or customers. Clinical Partners will not tolerate such actions against its staff, and the employee concerned should inform their manager at once that this has occurred.

Clinical Partners Limited will fully investigate and take all reasonable steps to ensure such harassment does not happen again.

## Rights of Disabled People

Clinical Partners Limited attaches particular importance to the needs of disabled people.

Under the terms of this policy, managers are required to:

- Make reasonable adjustments to maintain the services of an employee who becomes disabled, for example, training, provision of special equipment, reduced working hours. (NB: managers are expected to seek advice on the availability of advice and guidance from external agencies to maintain disabled people in employment);
- Include disabled people in training & development programmes;
- Give full and proper consideration to disabled people who apply for jobs, having regard to making reasonable adjustments for their particular aptitudes and abilities to allow them to be able to do the job.
- Where appropriate equality impact assessments will be carried out on the results of monitoring to ascertain the effect of the Company policies and our services / products may have on those who experience them.
- The information collected for monitoring purposes will be treated as confidential and it will not be used for any other purpose.
- If monitoring shows that the Company, or areas within it, are not representative, or that sections of our workforce are not progressing properly within the Company, then an action plan will be developed to address these issues. This will include a review of recruitment and selection procedures, Company policies and practices as well as consideration of taking legal Positive Action.

## Appendix 1.

### **Definitions of discrimination**

Discrimination can be direct, indirect, intentional or unintentional. Individuals, groups or whole institutions/organisations can be discriminatory. Perception is as important as intention. It is essential to take seriously the views of people who feel they face discrimination.

### **Individual discrimination**

Is personal attitudes of superiority, for example that disabled people are not as capable as non disabled people, white people believe they are superior to black people, men believe they are better than women. It can also be where someone prejudices another person because of the group with which they are identified or with which they identify themselves.

### **Group discrimination**

Is where prejudicial attitudes and behaviours are shared and reinforced so that there is a culture within the group that encourages discrimination.

### **Institutional discrimination**

Institutional discrimination is the collective failure of an organisation to provide an appropriate service to people because of their differences including race, gender, caring responsibilities, disability, gender re-assignment, age, social class, sexual orientation and religion or belief. It can be seen through processes, attitudes, behaviour and power imbalances that discriminate through unwitting prejudice, ignorance, thoughtlessness and stereotyping, which disadvantage these people.

### **What is racism?**

Racism is a general term to describe the conduct, practice and attitude that places people at a disadvantage or advantage because of their skin colour, culture or ethnic origin.

Institutional racism is the failure of an organisation to provide a service to people because of their skin colour, culture or ethnic origin. It can be seen in processes, attitudes, behaviour and power imbalances that discriminate through unwitting prejudice, ignorance and thoughtlessness – it leads to the disadvantage of black and minority ethnic people.

### **What is sex discrimination?**

Sexism comes from the belief that one gender is superior to the other. Sexism can be seen in an organisation's power holders, structures, systems and practices.

- We know that negative attitudes can lead to sexual harassment and discrimination in access to jobs, training and services. We will strive to combat this through providing equal access to jobs, development and services.
- We will take lawful action to ensure any discriminatory barriers are overcome and we will monitor the results of our actions

### **What is disability discrimination?**

Physical barriers in the environment and attitudes in society lead to disability discrimination. Disabled people are disadvantaged by these factors rather than their impairment.

- We will make reasonable adjustments to jobs and working conditions to support disabled people at work and have a redeployment programme for staff who may become disabled to ensure we retain staff whenever possible.
- The Trust has been awarded the Two Ticks Disability symbol which ensures that all disabled applicants who meet the essential criteria for the post are guaranteed an interview.

The Business Disability Forum is the employers' organisation focused on the issue of disability in the workplace. It is funded and managed by employers. The Forum is recognised as the authoritative voice on disability.

<http://businessdisabilityforum.org.uk/>

### **What is heterosexism and homophobia?**

Heterosexism is the belief that heterosexuality is the norm and any other form of sexuality is abnormal.

Homophobia is a collection of negative attitudes and prejudices that lead to discrimination against individuals on the grounds of their sexuality.

- We recognise that discrimination can take place both in service delivery and employment because of a person's sexual orientation.
- We acknowledge the discrimination that lesbians, gay men and bisexuals face and we will create a climate of respect in the workplace where all staff feel safe to "come out" if they wish to.

### **What is religious discrimination?**

Making jokes about someone's faith, belittling beliefs or unreasonably promoting your own faith can be offensive. To hold a religious or other belief is a basic human right and should be treated with respect and tolerance.

- We will endeavour to promote a culture where people can practice their religion or belief in safety and without fear of harassment and discrimination.

### **What is discrimination based on gender reassignment?**

This is any action that places a transsexual person at a disadvantage by the Trust.

Gender re-assignment is where someone experiences such a deep conflict between their physical sex and their mental gender that they have no choice but to elect to re assign their gender. This is called Transsexualism.

- The Trust recognises that transsexualism is a genuine medical status. We will provide appropriate support to staff with this status.

Transsexual employees will be treated with respect and dignity. We will strive to remove any barriers to employment opportunities.

The Gender Trust at <http://www.gendertrust.org.uk>

GIRES (UK) A registered charity that provides education based on research into gender identity and intersex issues. <http://www.gires.org.uk>

### **What is age discrimination?**

Assumptions can be made about people because of their age – in particular young people and older people. The assumptions can be that young people lack maturity and that older people lack flexibility and the ability to learn.

These attitudes can become built into organisations and shown in their policies and practices – for example advertising jobs for a particular age range only.

- We recognise that ageism is harmful because it undervalues the contribution that young and older people make.
- We will ensure that there is not age bias in our recruitment advertising, job descriptions, person specifications, promotion opportunities, access to training and development and all Human Resource policies.

The Employers Forum on Age (EFA) is an independent network of leading employers that aim to attract and retain experienced employees, regardless of their age. It highlights, through regular reports, studies and research, knowledge and understanding about the issue of age discrimination at work <http://www.efa.org.uk>.

Information for employers about employing older workers is available on the Business Link website [www.businesslink.gov.uk](http://www.businesslink.gov.uk).

Age positive publications including case studies research and statistics are available on the Department for Works and Pensions website [www.dwp.gov.uk/agepositive](http://www.dwp.gov.uk/agepositive)

## Appendix 2.

### Protected Characteristics

Each characteristic is addressed in the Act in summary as follows:

#### Age

The Act protects employees of all ages but remains the only protected characteristic that allows employers to justify direct discrimination, i.e. if an employer can demonstrate that to apply different treatment because of someone's age constitutes a proportionate means of meeting a legitimate aim, then no discrimination will have taken place.

#### Disability

The Act includes a new protection arising from disability and now states that it is unfair to treat a disabled person unfavourably because of something connected with a disability. An example provided is the tendency to make spelling mistakes arising from dyslexia. Also, indirect discrimination now covers disabled people, which means that a job applicant could claim that a particular rule or requirement disadvantages people with that disability.

The Act includes a provision which makes it unlawful, with limited exceptions, for employers to ask about a candidate's health before offering them work. Find out more about key employment changes [here](#).

#### Gender Reassignment

It is discriminatory to treat people who propose to start to or have completed a process to change their gender less favourably, for example, because they are absent from work for this reason.

#### Marriage & Civil Partnership

The Act continues to protect employees who are married or in a civil partnership. Single people are however not protected by the legislation against discrimination.

#### Pregnancy & Maternity

The Act continues to protect women against discrimination because they are pregnant or have given birth.

#### Race

The Act continues to protect people against discrimination on the grounds of their race, which includes colour, nationality, ethnic or national origin.

#### Religion or Belief

The Act continues to protect people against discrimination on the grounds of their religion or their belief, including a lack of any belief.

#### Sex

The Act continues to protect both men and women against discrimination on the grounds of their sex, for example paying women less than men for doing the same job.

#### Sexual Orientation

The Act continues to protect bisexual, gay, heterosexual and lesbian people from discrimination on the grounds of their sexual orientation.

### Types of Discrimination

The 2010 Act also extends some of these protections to characteristics that previously were not covered by equality legislation. Employers and business owners now need to be aware of the seven different types of discrimination under the new legislation.

These are:

- Direct discrimination – where someone is treated less favourably than another person because of a protected characteristic
- Associative discrimination – this is direct discrimination against someone because they are associated with another person who possesses a protected characteristic



- Discrimination by perception – this is direct discrimination against someone because others think that they possess a particular protected characteristic. They do not necessarily have to possess the characteristic, just be perceived to.
- Indirect discrimination – this can occur when you have a rule or policy that applies to everyone but disadvantages a person with a particular protected characteristic
- Harassment – this is behaviour that is deemed offensive by the recipient. Employees can now complain of the behaviour they find offensive even if it is not directed at them.
- Victimisation – this occurs when someone is treated badly because they have made or supported a complaint or grievance under this legislation.