

# Equity, Diversity & Inclusion Policy

## A-01

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## 1. LCD Equity, 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 **equity** means breaking down barriers, eliminating discrimination and ensuring equitable opportunities and access for all groups both in the recruitment, training and development of employees and through delivery of our services. LCD recognises the differences that people have and bring to an organisation, meaning that different circumstances require different resources and opportunities to achieve an equitable outcome.

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 **equity and diversity** are not interchangeable but interdependent. There can be no equity of opportunity if difference is not valued and harnessed.

At LCD we view **inclusion** as the practice of including people in a way that is fair for all, values everyone's differences, and empowers and enables each person to be themselves, achieve their full potential and thrive at work.

We want everyone to feel that their contribution matters, that policies and practices are fair, and that a diverse range of people are supported to work together effectively.

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

## 2. 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 workers, agency workers, 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 (i.e. meetings, social events and social interactions with colleagues) and in any situation which may impact on the reputation of LCD (i.e. the expression of views via social and other media).

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

All employees are required to undertake mandatory Equity & 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.

## 3. The Law

It is unlawful to discriminate directly or indirectly, in recruitment or employment, because of:

1. age,
2. disability,
3. sex,
4. gender reassignment,

5. pregnancy/maternity,
6. race (which includes colour, nationality and ethnic or national origins),
7. sexual orientation,
8. religion or belief, or
9. them being married or in a civil partnership

These are known as “protected characteristics”.

Employees should be aware that they could be personally liable for any acts of discrimination committed. All employees should understand that 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.

Unlawful discrimination includes:

### Direct discrimination

There are three different types of direct discrimination.

1. Direct discrimination is where a person is treated less favourably than another **because of a protected characteristic**. An example of direct discrimination would be refusing to employ a woman because she is pregnant.
2. Direct discrimination can also occur where a person is treated less favourably **because of a protected characteristic they are perceived to have**, whether they do or don't. For example, rejecting a job application from a white man that a hiring manager thinks is black due to the sound of their name, or refusing to hire someone with an Arabic name because you wrongly assume they're Muslim.
3. Lastly, direct discrimination can also occur where a person is treated less favourably **because they are associated with someone who has a protected characteristic**. For example, not employing someone because you think they may have a lot of time off work because they have a disabled child.

### Indirect Discrimination

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory for individuals who have a relevant protected characteristic and it cannot be shown to be a proportionate means of achieving a legitimate aim. For example, a company-wide ban on head wear would indirectly affect anyone who is Sikh.

### Harassment

Harassment is where there is unwanted conduct, related to one of the protected characteristics that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Bullying, nicknames, gossip, intrusive or inappropriate questions and comments can be harassment. Excluding someone (e.g. not inviting them to meetings or events) may also qualify.

It does not matter whether or not this was intended by the person responsible for the conduct. To say the behaviour was not meant to cause offence or was 'banter', is not a defence.

### Victimisation

Victimisation occurs where an employee is subjected to a detriment because they

- Made an allegation of discrimination.
- Supported a complaint of discrimination.
- Gave evidence relating to a complaint about discrimination.
- Raised a grievance concerning equity or discrimination.
- Did anything else for the purposes of (or in connection with) the Equality Act, such as bringing an employment tribunal claim of discrimination.

A 'detriment' can include a loss, disadvantage, damage or harm.

For example, if a blind employee raises a complaint that an employer is not complying with its duty to make reasonable adjustments, and is then labelled a 'troublemaker', left out and/or ignored, denied training or promotion, or made redundant, such behaviour could amount to victimisation.

## 4. Reasonable Adjustments

At LCD, reasonable adjustments will be made to enable a disabled employee to carry out their 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.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to remove or reduce the disadvantage.

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

## 5. LCD 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 make every effort to prevent unlawful discrimination in all aspects of employment including;

- recruitment,
- promotion,
- opportunities for training,
- pay and benefits,

- discipline matters,
- selection for redundancy.

Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

We will consider any possible indirectly discriminatory effect of our standard working practices, considering requests for variations and will refuse such requests only if we consider it has good reasons, unrelated to any protected characteristic, for doing so.

We will also make reasonable adjustments to our standard working practices to overcome barriers caused by disability.

In addition, we will:

- Communicate our commitment to equity and diversity to all employees, prospective employees, customers, other suppliers and the wider community.
- Inform and educate all employees of their rights and responsibilities to maintain and promote equity.
- Not tolerate any form of intimidation, victimisation, harassment or bullying. Every employee is entitled to work in an environment that promotes dignity and respect to all.
- Encourage all our employees to take an active role in combating all forms of discrimination, victimisation and harassment.

## 6. Breaches of this Policy

If you consider that you may have been unlawfully discriminated against, you may use the LCD Grievance process to make a complaint. We will take any grievance seriously and will seek to resolve any grievance that we uphold.

You will not be penalised for raising a concern under the Grievance Policy, even if your concern is not upheld, unless your complaint is both untrue and made in bad faith.

Any employee who is found to have discriminated against any other employee, client or visitor will be subject to disciplinary action which may result in dismissal.

If you believe you have suffered any form of discrimination you should raise this matter immediately with your line manager.

If you believe you have been subject to bullying or harassment you should raise this matter via the process stipulated in the LCD Bullying & Harassment policy.

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.

Particularly serious complaints could 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).

Employee 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.

## 7. Responsibilities

All LCD Board members, managers and employees share responsibility for creating an environment within which there is equity, genuine inclusion and respect for diversity. This commitment includes training managers and all other employees about their rights and responsibilities under this 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 Officer. Directors and Managers will ensure that they and their employee operate within this policy and that all reasonable and practical steps are taken to avoid discrimination.

Each manager will ensure that:

- all their employee are aware of the policy and its arrangements, and the reasons for the policy;
- grievances concerning discrimination are dealt with properly, fairly and as quickly as possible; and
- proper records are maintained.

Responsibility for ensuring that there is no unlawful discrimination rests with all employee and the attitudes of employees are crucial to the successful operation of fair employment practices. All employee 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 employee 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.

## 8. 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 equity, 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.



## 9. 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 operates a Prevention of Bullying & Harassment Policy; Complaints Policy and Procedure, Grievance Policy and Freedom to Speak Up Policy to provide service users, employees, contractors and others with a range of means of raising complaints and concerns about unfair treatment.