



**Wirral Hospice
St John's**

EQUALITY, DIVERSITY AND INCLUSION POLICY

Version No: 09

Executive summary and associated documents:				This policy sets out Wirral Hospice St John's commitment and approach to promote equality and to value and manage diversity and inclusion. Wirral Hospice St John's seeks to encourage and ensure fairness and equality amongst and throughout our workforce and to provide accessible and appropriate services and patient care in all settings.			
Description of Amendment(s):		Amendments made: Three Year Review		Date: 12.06.23			
This policy will impact on:		All staff and volunteers					
Policy Area:		Organisational					
Effective Date:		27.11.23		Review Date:		27.11.26	
Responsible Person(s) for updating policy:		Workforce Director and Director of Clinical Services					
Approval Record							
						Date:	
Ratified by:		Workforce Governance Committee				19.1023	
		Board				27.11.23	



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Version No: 09

Date Issued: 27.11.23 Review Date: 27.11.26

Policy Aim:

The aim of this policy is to eliminate discrimination throughout Wirral Hospice St John's to encourage and ensure fairness, social inclusion and equality amongst and throughout our workforce.

This policy affirms the commitment of the hospice to: -

- Encourage, value, and manage diversity
- Eliminate discrimination and disadvantage
- Advance equality of opportunity by considering those needs arising from identified protected characteristics

The following are defined as protected characteristics:

- Age
- Disability including physical limitations and mental health
- Sex
- Sexual Orientation
- Race
- Religion or Belief
- Gender reassignment
- Marriage or Civil Partnership
- Pregnancy / Maternity

Introduction:

Wirral Hospice is committed to providing a working environment that is welcoming, inclusive, respectful and is free from unlawful discrimination. We are equally committed to providing accessible and equitable services for our patients, families and all members of the local community which provides them with the best possible quality palliative and end of life care.

We aim to attract and retain a workforce that is representative of all sections of the society we serve and where each individual feels valued, respected and able to give their best self to working with us. All our people should be able to achieve their potential and be treated with dignity and respect.

As an employer the hospice will not discriminate against any member of staff or treat them less favourably because of a protected characteristic or because they perceive the employee to have a protected characteristic (discrimination by perception). Staff with a protected characteristic will not be disproportionately disadvantaged, compared to those who do not share that characteristic. Nor will there be any discrimination against an employee because they associate with another person who possesses a protected characteristic (discrimination by association).

Our culture should be one in which everybody feels valued and respected for their skills and knowledge and where their talents are being fully utilised to meet organisational goals. No one should be disadvantaged by conditions or requirements which cannot be shown to be justified, particularly on the grounds of a protected characteristic, and nor should they be disadvantaged because of their trade union activity or political belief.

This policy provides a framework for the implementation of our responsibilities and obligations in support of its aim to be a charity that appreciates and benefits the diversity of the community it serves, its workforce, and the contributions that both make.

Scope and Responsibilities:

This policy applies to all our people (staff and volunteers including contractors, students, locum and agency staff and those holding honorary contracts).

Board of Trustees:

- Have overall responsibility for ensuring that a corporate and co-ordinated approach to equality and diversity and inclusion exists.
- Ensure that the requirements of the policy are implemented in full
- Ensure there are effective working practices in relation to equality, diversity and equality of opportunity.
- Receive and consider regular reports in order to evaluate the effectiveness of the policy
- Champion the implementation of this policy at Board level and across the organisation and support review / evaluation of its effectiveness and impact.

Chief Executive:

- The Chief Executive will have overall responsibility for ensuring that all reasonable steps are taken to prevent unlawful discrimination and the promotion of equality within the hospice.

Senior Leadership Team and all Managers should:

- Lead by example by promoting equality of opportunity and challenging discriminatory conduct
- Ensure that the Equality, Diversity and Inclusion policy and practices are fairly and consistently implemented.

- Treat people fairly and give support to people if they suffer from unfair treatment, discrimination, prejudice, harassment, or bullying.
- Take positive steps to address equality issues.
- Give clear and full advice to any person who complains of harassment and maintain confidentiality.
- Ensure that staff have knowledge of and access to this policy.
- Ensure that people are appropriately trained to carry out their responsibilities under this policy and supported with appropriate resources to comply with policy.
- Monitor the behaviour of the staff they manage.
- Identify examples of actual or potentially justifiable discrimination within the services provided by the hospice and highlight them.
- Deal with breaches to this policy promptly, sensitively, and confidentially.
- Ensure that the hospice's strategy and services are inclusive for the communities we serve

Workforce Director / Team:

- Be responsible for reviewing and monitoring the effectiveness of this policy.
- Provide training, advice and guidance to staff and volunteers, including the board of trustees.
- Ensure that all complaints and alleged breaches to this policy are dealt with seriously, sensitively, confidentially and in a timely manner.
- Endeavour to promote the values and aims of this policy.
- Work in partnership with external and internal stakeholders to promote equality and diversity issues as high on the agenda.
- Promote a diverse workforce by ensuring that there are equal opportunities
- Capturing staff demographic and reporting on equality of workforce

All Staff & Volunteers:

All staff and volunteers have responsibility for adhering to and practicing this policy and should: -

- Ensure fairness and respect towards colleagues and to all sectors of the community they serve.
- Ensure that their behaviour is professional, supportive and consistent with this policy at all times.
- Attend appropriate training.
- Actively intervene or report inappropriate behaviour and unfair discrimination directed at anyone, including themselves.
- Work with their colleagues, managers, patients/ service users, carers and any other inter-agency colleagues in a way that promotes a high standard of behaviour.
- Not demonstrate any discriminatory behaviour either directly or indirectly.
- Not induce or attempt to induce other employees or volunteers, staff side representatives or management to discriminate.
- Not harass, abuse or intimidate other employees or volunteers, patients, service users, carers or any other person they come into contact with during the course of their duties whether on or off hospice premises.

Any employee or volunteer who fails to observe the provisions of this policy or who discriminates against or harasses another employee or volunteer, applicant for

employment, patient/service user or member of the public will be subject to disciplinary action which could result in dismissal.

Policy Statement:

This policy supports and complies with the provisions of the Equality Act (2010). It embraces all job-related issues affecting individuals and groups whether they are actual or potential members of staff, consultants or contractors of Wirral Hospice St John's.

In line with the Equality Act (2010), it introduces new measures to deal with discrimination and the promotion of equality. The basic framework of protection includes direct and indirect discrimination, harassment and victimisation in services, functions, premises, work, education, associations, and transport.

Wirral Hospice St John's is committed to safeguarding and promoting the welfare of children, young people, and adults at risk. The hospice expects all staff and volunteers ~~post holders~~ to share this commitment. Our approach is laid out in our Safeguarding Policy, and everything we do is guided by this. Therefore, this document should be read in conjunction with our Safeguarding Policy, and any potential safeguarding issues should be given due consideration.

Equality Impact Assessment:

It is a requirement that an equality impact assessments is undertaken on any new or reviewed policy, procedure, business plan / service development or organisational change.(See Forms 1 and 2 below).

Assessing and understanding the potential impacts of a range of internal and external activities on different groups of people is a key component of the policy framework, which in turn supports the hospice's wider aim to eliminate discrimination, advance equality of opportunity, and foster good relations when making decisions and developing policies.

Recruitment and Selection:

The application of best practice in recruitment and selection is one of the foundations upon which Wirral Hospice St John's relies in achieving equality of opportunity and equal access to employment.

Information on recruitment and selection will be monitored and reported to Workforce Governance Committee and to the Board of Trustees.

Learning and Development:

All staff and volunteers will have equal and appropriate access to training and development opportunities consistent with their training needs

Promotion will be on the basis of merit and ability, and the hospice is committed to addressing any perceived unconscious bias.

We will provide equal access to Learning and Development activities for all staff by ensuring the widest possible distribution of learning, development, and continued professional development opportunities. All of our people are encouraged to undertake regular continued professional development and have an up-to-date personal objective(s).

Grievances, Concerns and Complaints:

Preventing and tackling inappropriate behaviour and conduct is essential to ensuring Wirral Hospice St John's is well-managed and well-led. It is committed to continually working toward achieving a culture where bullying, harassment and discrimination are out of place and unacceptable.

We will treat seriously all complaints of discrimination, harassment or bullying related to any of the grounds set out in this policy irrespective of whether the complaint is made by an employee, volunteer, manager, service user or any other relevant third party.

Any employee who feels that he or she has been treated unfairly in connection with any aspect of their employment may raise their complaint through our Grievance Procedure without fear of victimisation. Staff who are considering a grievance under this Grievance Procedure will have access to raise their concerns in confidence to the Workforce Team.

Any volunteer, service user or member of the public who feels that he or she has been treated unfairly in connection with any aspect of this policy may raise their complaint through our Complaints Procedure.

Wirral Hospice St John's Grievance Policy and Concerns & Complaints Policy ensure that those who feel aggrieved about the way they have been treated are given every opportunity to have their problems resolved in a fair and just manner. It is intended to resolve issues, as quickly as possible and not to establish guilt nor provide punishment. Written records will be maintained at all stages.

Any breach of this policy is a disciplinary offence and will be dealt with through the hospice's Disciplinary & Dismissal Policy. Any employee found to have unfairly discriminated, harassed, or victimised a service user, third party, member of staff, colleague, volunteer or contractor may be dismissed.

Any breach in this policy by a third-party contractor or supplier will result in that third-party's employer being contacted and a formal complaint being made using that employer's procedures.

Communication:

This Equality, Diversity and Inclusion policy will be widely communicated to all staff, volunteers, prospective employees, patients, carers, families, commissioners, partnerships etc through internal and external communications mechanisms. It will be referred to at induction, in relevant documents such as advertisements, recruitment literature, job descriptions, person specifications and contracts of employment. It will also be available on our intranet, SharePoint. In addition, job applicants will receive a copy of the policy via the recruitment system.

Advice and guidance is available through Line Managers and members of the Workforce Team.

Monitoring and Compliance:

It is the responsibility of the Chief Executive to ensure that Wirral Hospice St John's is operating as an Equal Opportunity employer. Equal Opportunity policies will be reviewed by way of an annual report identifying key achievements in terms of promoting equality

initiatives in the workplace and associated Equal Opportunities monitoring data. If through monitoring, any discrimination or bias is identified, the hospice will take corrective action to eliminate it.

We will collect and evaluate relevant data, in order to influence and improve future best practice and policy development for staff, patients and other stakeholders, and to see how far we are achieving our Equality Delivery Plan specific objectives. The Equality Delivery Plan will contain details of planned objectives, target dates and persons responsible. The progress of these objectives will be reported to the Board of Trustees annually.

Service delivery and employment policies and practices will be continuously reviewed against the aims of the equality policies and commitments. All Service Delivery and Human Resources policies should be read in conjunction with this policy.

This policy will be reviewed annually and re-ratified on a three yearly basis via the Workforce Governance Committee and the Board of Trustees. Amendments will be made within 3 months of any changes to legislation, standards, best practice or other key changes.

Compliance with the principles and processes of this policy will be monitored and audited by Workforce Governance Committee.

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Definitions:

- **Equality:** Equality is essentially about creating a fairer society where everyone can participate as an individual and has the opportunity to fulfil their potential in a way that is appropriate to them. It is supported by legislation designed to address unfair discrimination that is based on identified protected characteristics. In some circumstances positive action is encouraged to address discrimination.
- **Inclusion:** Inclusion is about an individual's experience within the workplace and in wider society. It is about providing a space where everyone has equal access to opportunities and resources, and where everyone feels valued, included and accepted. Everyone should be able to contribute, to have a voice and be able to develop their skills and talents. This may mean making reasonable adjustments to facilitate participation.
- **Diversity:** Diversity is about the recognition and valuing of all differences in the broadest sense and being inclusive of everyone. It is about creating a working culture and practices that recognise, respect, value and harness differences for the benefit of the organisation and the individual. Equality and diversity are not interchangeable but are interdependent. There is no equality of opportunity if difference is not recognised and valued. It includes our visible differences such as gender, visible disabilities, race and ethnicity and also includes our non-visible differences such as sexual orientation, religion, unseen disabilities, different perspectives and thought processes, education, family status and age.
- **Autonomy:** Is regarded as one of the four fundamental ethical principles of healthcare. It is the principle of self-determination whereby a person is allowed to make free choices

about what happens to them – that is, the freedom to act and the freedom to decide, based on clear, sufficient and relevant information and opportunities, to participate in the decision- making.

- **Direct Discrimination:** The treatment of one person/group less favourably because they belong to a protected group because of their age, disability (including HIV/AIDS) ethnic origin, race, gender, marital status, nationality, pregnancy and maternity, religion or belief, sexual orientation, gender reassignment or social background.
- **Discrimination by Association:** This applies where a person is directly discriminated against because they associate with someone from one of the protected groups or because they perceive that it is because they associate with someone from a protected group. This applies to age, disability, gender reassignment, race, religion or belief, sex or sexual orientation.
- **Discrimination by Perception:** This applies where there is direct discrimination against an individual because others think that they possess a particular protected characteristic or are associated with someone who has a protected characteristic. This applies to age, disability, gender reassignment, race, religion or belief, sex or sexual orientation. It applies even if the person does not actually possess that characteristic.
- **Fairness:** Demands that due consideration is afforded to the person's opinion, giving them the opportunity to have that point of view expressed, listened to and weighed, alongside other factors relevant to the decision to be taken.
- **Harassment:** Harassment is 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. This applies to age, disability, gender reassignment, race, religion or belief, sex or sexual orientation.
- **Indirect Discrimination:** This applies where there is a condition, rule, policy or practice within the service that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can only be justified if it can be shown that the condition, rule or being fair and reasonable at that consideration has been given to less discriminatory alternatives. This applies to age, disability, gender reassignment, race, religion or belief, sex or sexual orientation, marriage or civil partnership.
- **Institutional Discrimination:** The collective failure of an organisation to provide appropriate employment opportunities or service to people because of their age, disability (including HIV/AIDS) ethnic origin, race, gender, marital status, nationality, religion or belief, sexual orientation or social background. It can be seen in processes and behaviour, which amount to discrimination through unwitting prejudice.
- **Protected Characteristics:** The Equality Act 2010 protects against discrimination on the grounds of Age, Disability, Gender reassignment, Marriage and civil partnership, Pregnancy and Maternity, Race, Religion or belief, gender or Sexual orientation. These are described in the Act as Protected Characteristics.

- **Respect** is the objective, unbiased consideration and regard for the rights, values, beliefs and property of other people. Respect applies to the person as well as their value systems and implies that these are fully considered before decisions which may overrule them are taken.
- **Third Party Harassment:** The Equality Act (2010) makes an organisation potentially liable for the harassment of their staff by people who are not their employees such as patients or external contractors. Liability is based on there being two previous occasions that have been raised and where reasonable steps have not been taken to prevent this from happening again which results in one group being placed at a particular disadvantage compared to other individuals or groups.
- **Victimisation:** This occurs when someone is treated badly because they have made or supported a complaint or grievance in relation to age, disability, gender reassignment, race, religion or belief, sex or sexual orientation, marriage or civil partnership, pregnancy and maternity.

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References:

- Equality Act 2010 www.gov.uk/guidance/equality-act-2010-guidance
- Human Rights Act 1998 www.legislation.gov.uk/ukpga/1998/42/contents
- Autism Act 2009
- Adult Autism Strategy and Think Autism 2014 Sexual Orientation Monitoring Standard 2018
- Workforce Race Equality Standard (WRES) Workforce Disability Equality Standard (WDES)
- Gender Pay Gap Reporting
- Disability Confident Employer Scheme
- Disability Confident Line Manager Guide to Disability
- Learning Disability Employment Programme Accessible Information Standard
- Equality Delivery System (EDS2)
- Wirral Hospice St John's Concerns and Complaints Policy
- Wirral Hospice St John's Human Resources Policy
- Wirral Hospice St John's Grievance Policy
- Wirral Hospice St John's Disciplinary & Dismissal Policy
- Wirral Hospice St John's Safeguarding Policy
- Wirral Hospice St John's Learning & Development Policy
- Wirral Hospice St John's Bullying and Harassment Policy
- Wirral Hospice St John's Speak up Speak Out Policy

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Please refer to Wirral Hospice St John’s Equality Policy.

Does the procedural document affect one group less or more favourably than another on the basis of	Yes No N/A	If yes, in what way?	Action required
<ul style="list-style-type: none"> • Gender (Consider any barriers relating to male, female, transgender or transsexual people) e.g. same sex accommodation, gender specific job roles, leave entitlement, privacy of personal data 	No		
<ul style="list-style-type: none"> • Race & Ethnic origin & Culture (Consider any barriers impacting on ethnic groups) e.g. language barriers, dietary requirements, uniform requirements, requirement to have fixed abode and bank account 	No		
<ul style="list-style-type: none"> • Religion or belief (Consider any barriers affecting people of different religions, belief, or no belief) e.g. specific holiday periods, clothing 	No		
<ul style="list-style-type: none"> • Pregnancy & Maternity (Consider any impact upon working arrangements, part time or flexible working) 	No		
<ul style="list-style-type: none"> • Sexual orientation (Consider any barriers affecting heterosexual, lesbian, gay or bisexual people) e.g. HR policy 	No		
<ul style="list-style-type: none"> • Carers (Consider any impact on part time working, shift patterns and general caring responsibilities) 	No		
<ul style="list-style-type: none"> • Disability (Consider any impact on attitudinal, physical and social barriers) e.g. accessibility. 	No		
<ul style="list-style-type: none"> • Age (Consider any barriers across age ranges. This includes safeguarding consent, care of the elderly and child welfare).e.g. easy read, hearing loops, IT or telecommunications accessibility 	No		
Is there evidence that some groups are affected differently?	n/a		
If you have identified potential discrimination, are any exceptions valid, legal and or justifiable?	n/a		
Is the impact of the procedural document / guidance likely to be negative?	n/a		
If so, can the impact be avoided?	n/a		
What alternatives are there to achieving the procedural document guidance without impact?	n/a		
Can we reduce the impact by taking different action?	n/a		

Action Plan to manage action impact

Form 2

If you have identified a potential discriminatory impact, please refer it to the Governance Lead / Workforce Lead together with suggestions and actions required to avoid and reduce the impact.

Description of Impact which may have discriminatory effect	Management plan to minimise Form 1 - Equality and Diversity Impact assessment	Managed by	Review date