

Equality and Diversity Policy

We will provide this policy on request at no cost, in large print, in Braille, on tape or in another non-written format.

Policy Statement

Wheatley Care is committed to the principle of equality of opportunity for all in employment, access to advice, service provision and within the organisation's decision making structures. Wheatley Care seeks to be an equal opportunity employer and ensure equality of treatment and outcome for all. The organisation will ensure that no person in employment or applying for employment will be treated less favourably, because of a 'protected characteristic' which covers sex, race, colour, nationality, ethnic or national origin, religion or belief, age, sexual orientation, disability, gender reassignment, marriage/civil partnership, pregnancy or maternity.

While not a protected characteristic in its own right, under the terms of the Fairer Scotland duty, the Wheatley Group, as a public body, has a duty to ensure that individuals are not discriminated on the grounds of their socio-economic status.

The organisation abides by the regulations under the Equality Act 2010 and recognises our obligations under equalities legislation and will continually work to comply with all guidance issued by the Equality and Human Rights Commission.

Wheatley Care is opposed to any form of discrimination and is committed to taking all reasonable steps to counteract it. The organisation will not:

- Discriminate directly against an individual because of any of the above factors
- Discriminate indirectly, by applying criteria, conditions or practices which preclude people unjustifiably
- Subject anyone to harassment (including sexual harassment) or condone any form of harassment by one employee to another, harassment, sexual harassment of employees by third parties such as volunteers, agents, contractors, consultants, service users or tenants.
- Victimise an individual because they have raised a complaint or supported another in raising a complaint under this policy.
- Discriminate against an individual after the working relationship has ended.

The organisation will ensure that practices, procedures and policies are not discriminatory and are committed to bringing equality of opportunity and outcome into the mainstream policy framework of the organisation.

The organisation will ensure that opportunities exist in employment, training and promotion for all.

The organisation will ensure employment opportunities are accessible to minority groups.

Employee Responsibilities

Each employee is responsible for ensuring that the principles of the policy are adhered to. Any employee who feels that they are not being afforded equality of opportunity may seek resolution under the grievance procedure or where appropriate under the Dignity at Work Policy. Staff who fail to adhere to the policy may be subject to disciplinary action.

This policy applies to all employees, including relief staff, volunteers, agency staff, contractors, consultants, service users and customers.

Working with Equal Opportunities

As an employer, Wheatley Care believes that its workforce should reflect the community that it serves, and that staff composition should be balanced properly within the organisation. Wheatley Care accepts that it is vital that wherever possible it takes appropriate action to eliminate discrimination in its policies, practices and procedures.

Equality of Treatment

The Organisation recognises the fundamental worth of each human being and is committed to providing a Human Rights Based Approach to all areas of business, treating everyone equally well and promoting the rights of Freedom, Respect, Equality, Dignity and Autonomy of all individuals working with the Organisation or using its services.

Recruitment

Employment will be offered, based on skills, abilities, knowledge, experience, qualifications and aptitude.

All posts will have a person specification based on the above factors, prior to advertising.

Vacancies will be advertised in a variety of sources to reach all groups in the community.

Employees involved in recruitment will be aware of Equal Opportunities, which will be incorporated into management training on recruitment and selection.

Recruitment and selection will be carried out in an open and honest manner and all interviewees will be entitled to receive feedback following interview.

Posts will only be exempted in accordance with the relevant legislation, where appropriate, for people of a specific sex or ethnic origin.

All applicants with a disability who meet the minimum criteria on the person specification will be shortlisted and guaranteed an interview.

Applicants with a disability invited for interview, will be asked if they have any specific requirements, for example, access or hearing loop.

Selection methods used will not be discriminatory.

The Organisation may take positive action to promote equality in employment as appropriate.

Wheatley Group employees managing a recruitment process are required to complete both the Unconscious Bias and Interview and Selection skills training modules prior to commencing interviews. More information on these courses can be found on My Academy.

Working Environment/Accessibility

It is intended that proper access for people with disabilities be provided throughout all workplaces and a programme be set up for improvements where this is not already the case. The Equal Opportunities working group will report to Committee on progress. Every effort should be made to ensure that the specific needs of people with disabilities are met including provision of adapted equipment where appropriate. The organisation will make all reasonable adjustments to physical working environments and job requirements to allow applicants and current employees to remain in employment.

The Organisation will strive to provide its information in accessible formats including minority languages, British Sign Language, tape, large print or another format as requested wherever possible. The Organisation will strive to ensure that its website is accessible and follows best practice in accessibility.

Service Delivery

The Organisation will strive to ensure that its services are available to all those who are entitled to use them in keeping with its aims and objectives. It will keep under review the appropriateness of these entitlements and will amend them as necessary to reflect its aims and objectives and changes in society. It will ensure

that all service users have equal opportunity and equal outcomes in service delivery.

Harassment and Sexual Harassment

Wheatley Care views harassment (including sexual harassment) as extremely serious and will not condone such actions or behaviours by employees, agency workers, volunteers, consultants, contractors, service users. Employees should refer to the Dignity at Work Policy, which incorporates a procedure for dealing with such cases. Contact Officers will be available throughout the organisation for employees to discuss incidences of harassment and sexual harassment and to provide support in raising a complaint details of these support mechanisms can be found under our Dignity at Work Policy.

Employees found guilty of harassment and sexual harassment will be dealt with under the Disciplinary Procedure which may lead to dismissal.

Training/Awareness

The policy will be accessible to all in every location and can be found on the Group's Intranet. Agencies and contractors providing a service on Wheatley Care's behalf will receive a copy of the policy.

The staff induction programme will include information on, equality and diversity.

All employees involved in recruitment will receive training on recruitment and selection procedures, which will incorporate equal opportunities.

There will be a programme of staff awareness relating to equal opportunities, the duty on preventing sexual harassment and related policies which will be regularly rolled out across the organisation. This will be the responsibility of the Academy in conjunction with the Equality Working Group and People Services.

Monitoring

Monitoring information produced will not identify individuals. People Services will undertake the following monitoring:

Recruitment – all applicants for posts advertised within Wheatley Care will be asked to complete an equal opportunities questionnaire. This will be detached from the application form on receipt, prior to shortlisting. The information, which will be non person identifiable will be entered into a database and reports provided for Committee.

The workforce will be monitored, and reports provided to Committee. Information will be collated in terms of workforce composition, as well as information on promotion and training opportunities for different groups of staff. This information will be used to assess the effectiveness of the Equality and Diversity Policy.

Implementation and Review

Wheatley Care will provide full support to an Equality Working Group consisting various grades of staff and the Managing Director of Wheatley Care. The group will be chaired by People Services or the Managing Director of Wheatley Care.

The Group is responsible for ensuring that Wheatley Care integrates equality and diversity into its policy and strategy development, service planning, service delivery and employment practices to meet its statutory obligations and its wider aspirations in relation to business excellence.

As individuals, members of the Group will be responsible for driving these requirements through to their own service or sections. The remit of the group will be to:

- Be Ambassadors for the principles of Equality and Diversity
- Ensure the implementation, monitoring and review of Wheatley Care's over-arching Equality and Diversity Policy
- Co-ordinate and timely review of the Equality and Diversity Strategy and Action Plans, Risk Assessments with annual reports to the Management Committee
- Co-ordinate and share consultation; ensure that we utilise the outcomes of consultation to shape future objectives.
- Drive and monitor the Equality and Diversity Scheme to ensure Wheatley Care meets its agreed targets and timescales.
- Ensure robust audit and scrutiny measures are in place to be able to evidence progress against the Equality and Diversity Action Plan
- Ensure that Management Team and Committee receive regular reports on the progress of Equality and Diversity
- Champion Equality and Diversity across the Organisation
- The Prevention of Sexual Harassment in the Workplace
- Keep abreast of new legislation, guidance and best practice in this area and advise on any amendments needed to the Equality and Diversity Policy or Scheme
- Advise on appropriate training and development for Members, managers, and front-line staff.
- Have a robust framework to ensure the delivery of Equality Impact Assessments and outcomes generated from them as part of policy and strategy review.

Breach of this Policy

The Organisation takes any breach of this policy very seriously and will ensure that any alleged breach is investigated using the appropriate procedures and that appropriate action is taken, for staff this may include disciplinary action up to including dismissal.

Appendix 1

Terms

Direct discrimination means everyone must be treated equally and no one less favourably than another. An example of direct discrimination would be to refuse to promote a person because of their religious belief.

Indirect discrimination means that Wheatley Care must not set criteria, policies, procedures or regulations which disadvantage an individual unjustifiably. An example of indirect discrimination would be a special leave policy which did not allow a same sex partner to take leave to deal with a dependant emergency but allows heterosexual partners to do so.

Associative discrimination means that employees must not discriminate against an individual because they associate with someone who has a protected characteristic. An example of associative discrimination would be a parent of a disabled child being subjected to unpleasant comments about disabled people.

Perceptive discrimination means that employees must not discriminate against an individual because they think that person possess a particular protected characteristic. It is irrelevant whether the person has that protected characteristic. An example of perceptive discrimination would be rejecting a job application submitted by a white man as it has been wrongly assumed that he is black because he has an African name.

Harassment includes actions and behaviour which is intimidating, offensive or distressing to a targeted individual or a witness to the harassment. For example, it would be unlawful to harass a member of staff because he was gay or harass a member of staff because they have a son or daughter who may be gay or lesbian.

Sexual harassment is when a person engages in unwanted behaviour of a sexual nature, whether verbal, non-verbal or physical, that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive working environment. For example, unwanted physical conduct or "horseplay", including touching, pinching, pushing, grabbing, brushing past someone, invading their personal space, Any form of sexual harassment is unlawful and will not be tolerated by Wheatley Care.

Third party harassment relates to individuals who are not employed by Wheatley Care and whose behaviour employees find offensive, intimidating or distressing. Examples of third parties would be visitors, suppliers, contractors, agency workers, service users, customers. An example of third party

harassment would be delivery men who are rude or abusive to an employee in relation to a protected characteristic.

Victimisation is where an individual has been treated unfairly because they have made a complaint about discrimination or given evidence relating to a complaint about discrimination. For example, a member of staff who provides evidence to show that a colleague did not receive promotion because she is female, who is then excluded from training unjustifiably.

Discrimination after the working relationship has ended may occur when a reference is requested. An example would be an employer refusing to provide a reference or giving a poor reference because of a person's religion or belief.