**Equality & Diversity Policy**

**Version 1**

**Date**

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# Introduction

Equality is about treating employees, contractors, students, customers and clients fairly and ensuring everyone is given a fair chance in life, work and education. It is common to think Equality is about treating everyone the same; but there is a danger that if you treat everyone the same you are not acknowledging their differences or needs, which could have an impact on how that person is feeling.

The Equality Act 2010 came into effect from 1 October 2010. The Act incorporated all previous domestic equality legislation (as amended where applicable):

* The Equal Pay Act 1970
* The Sex Discrimination Act 1975
* The Race Relations Act 1976
* The Disability Discrimination Act 1995
* The Employment Equality Act (Religion or Belief) Regulations 2003
* The Employment Equality (Sexual Orientation) Regulations 2003
* The Employment Equality (Age) Regulations 2006
* The Equality Act 2006, Part 2
* The Equality Act (Sexual Orientation) Regulations 2007

The Act simplified the law and incorporated the above 9 major pieces of legislation plus around 100 other measures into a single Act written in plain English to make it easier for individuals and employers to understand their legal rights and obligations. The website of the Government Equality Office (GEO) contains practical interpretation of the Equality Act in accessible language, illustrated with helpful examples (www.equalities.gov.uk)

# Definitions

## Protected Characteristics

The Act defines discrimination in terms of nine “protected characteristics”

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion and belief
8. Sex
9. Sexual orientation

We should also ensure we do not discriminate on the grounds of socioeconomic background or mental health status.

## Direct Discrimination

Direct Discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see Perceptive Discrimination below), or because they associate with someone who has a protected characteristic (see Associative Discrimination below).

## Associative Discrimination

This applies to Race, Religion or Belief, Sexual Orientation, Age, Disability, Gender Reassignment and Sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

## Perceptive Discrimination

This applies to Age, Race, Religion or Belief, Sexual Orientation, Disability, Gender Reassignment and Sex. This is direct discrimination against an individual because others think they possess a protected characteristic. It applies even if the person does not actually possess the characteristic.

## Indirect Discrimination

This applies to Age, Race, Religion or Belief, Sex, Sexual Orientation, Marriage and Civil Partnership, Disability and Gender Reassignment.

Indirect Discrimination can occur when you have a condition, rule, policy or even a practice in your organisation that applies to everyone but particularly disadvantages people who share a protected characteristic.

## 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 intimidating, hostile, degrading, humiliating or offensive environment for that individual".

Employees will now be able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

## Third Party Harassment

This applies to Sex, Age, Disability, Gender Reassignment, Race, Religion or Belief and Sexual Orientation.

The Equality Act makes you potentially liable for harassment of your employees by people (third parties) who are not employees of your company, such as customers or clients.

## Victimisation

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. The Equality Act amends the definition 'victimisation', so that no longer needs to point to a comparator.

# Our Aims

? Clinic Health & Wellbeing is committed to eliminating discrimination and encouraging diversity amongst our workforce and students we have on placement. Our aim is that our workforce will be truly representative of all sections of society and each employee, contractor or student feels respected and able to give of their best. To that end the purpose of this policy is to provide equality and fairness for all and not to discriminate on grounds of gender, marital status, race, ethnic origin, colour, nationality, national origin, disability, sexual orientation, religion or age. We oppose all forms of unlawful and unfair discrimination.

All employees, contractors and students, 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 based on aptitude and ability. All 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.

# Our commitment to Staff and Contractors

* To create an environment in which individual differences and the contributions of all our staff are recognised and valued.
* Every employee, contractor and student 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.
* Equality in the workplace is good management practice and makes sound business sense.
* We will review this policy on an annual basis unless an incident arises and we will review following any such incident to ensure fairness.
* Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings.
* This policy is fully supported by senior management and clinic directors

# Our commitment to Patients

* Patient dignity and privacy will always be respected. ? Clinic Health and Wellbeing expect that all patients should be treated by all their staff with courtesy and consideration, including being addressed by their preferred name and title. Bullying or harassment of patients is not tolerated and will be fully investigated should a complaint be made.
* Patient’s privacy, dignity and confidentiality are always respected. Consultations and treatments are held in individual rooms, with appropriate privacy using blinds or curtains if required.
* Patients will be asked for consent to a student being present and / or involved in their treatment.
* Patient’s wishes will be respected including offering both male and female therapists when possible.
* We will make every effort to ensure patients with disabilities have the best possible access to clinics and treatment rooms.
* Patients may at any or all appointments bring a friend or relative to sit in at the appointment.
* Treatment of vulnerable adults & children: ? Clininc Health and Wellbeing adhere to the following safeguarding principles in accordance with the following policies;
	+ The Department of Health Safeguarding Adults: The role of Health Services Practitioners (2011)
	+ Working Together to Safeguard Children A guide to inter-agency working to safeguard and promote the welfare of children (2010)
	+ Manchester Patient Safety Framework (2006)
	+ The Sexual Offenses Act (2003)
	+ The NSPCC Child Protection Fact Sheet (2010)
	+ Safeguarding Vulnerable Groups Act (2006)
	+ Health and Social Care Act 2008
* Therefore, ? Clinic Health and Wellbeing will not treat any patient under the age of 16 without the attendance of a parent or guardian at every treatment session unless a valid DBS certificate has been gained for that practitioner.

# Monitoring of the Policy

Following any incident and at annual review the management team will monitor how well this policy is working. As we are a relatively small organisation there is no current need to do an in-depth analysis as the management team are highly aware of the protected characteristics of all staff and contractors within the company.

# Taking Action

If following an incident or at annual review it becomes apparent, we have an issue, we will take appropriate action.

Examples of this can be found below; -

* If we find we are not attracting a diverse spread of candidates, we will advertise more widely.
* If sections of the workforce are not progressing within the company, we will review our appraisal system and contract reviews where progression through the company is discussed.
* If it highlighted that any individual is displaying behaviours that contravene this policy disciplinary procedures will be implemented and may lead to dismissal or termination of contract.

# Notification and Record Keeping

If you believe that you or any member of the management team, employee contractor or service user has been the victim or perpetrator of behaviour that contravenes this policy then please ensure the management team are notified immediately.

The management team at head office in liaison with the person concerned will fill in the accident and incident report form which is located in the [Accident & Incident forms folder](file:///S%3A%5CDocuments%5CHealth%20%26%20Safety%5CAccident%20%26%20Incident%20forms) within the Health and Safety folder on the shared drive. They will then decide the appropriate action to take including gaining legal advice if this is required.

**Relevant documents** – The Equal Pay Act 1970

* The Sex Discrimination Act 1975
* The Race Relations Act 1976
* The Disability Discrimination Act 1995
* The Employment Equality Act (Religion or Belief) Regulations 2003
* The Employment Equality (Sexual Orientation) Regulations 2003
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# Document Control Details

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