



Equality and Diversity Policy

1 Statement of Intent

The CSWS values diversity. We recognise that people with different backgrounds, skills, attitudes and experiences enrich the communities we serve contributing fresh ideas, valuable insights and new perceptions to the way our organisation works either as carers, staff or partners.

Our aim is to be an inclusive organisation that promotes a culture that values differences where diversity is fully embraced and respected.

The CSWS recognise that some individuals and groups in society experience unfair discrimination or disadvantage. Our teams are therefore committed to working within the current legislation framework and through best practice to challenge all forms of discrimination or disadvantage. We aim to ensure that no individual or group is directly or indirectly discriminated against for any reason with regard to employment or access to services.

The CSWS will promote its commitment to equality and diversity including this policy to all members and potential members of the organisation and will ensure that current and potential external organisations and partners with which it works are informed of this policy and encouraged to adhere to its principles.

2 Purpose

The CSWS's Equality and Diversity policy aims to provide a clear framework which outlines our commitment and responsibilities in complying with the Equality Act 2010, to ensure existing and potential members of the organisation are treated fairly in an environment which is free from any form of discrimination with regard to the 9 protected characteristics outlined in the Act which are:

- Age
- Disability
- Gender and Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race (includes colour, nationality and ethnic or national origins)
- Religion and or belief
- Sex
- Sexual orientation

All existing and potential members of the CSWS will be treated fairly in an environment

which is free from any form of discrimination with regard to caring responsibilities, part-time employment or spent convictions.

This policy and having a clear structure enables us to identify, state and action our aims under the objectives of the Equality Duty under the Act, which are to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between different groups, and
- Foster good relations between different groups.

The policy outlines our commitment to review the impact of our activities on equality and diversity and to take action to address any issues identified, providing a solid point of reference when creating plans that ensure our aims and objectives are translated into actions.

3 Context

Discrimination Definitions within the Equality Act 2010

Direct Discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of their age, disability, gender reassignment, marriage / civil partnership, pregnancy/maternity, race, religion or belief, sex and sexual orientation (known as protected characteristics).

Discrimination by Association

This is direct discrimination against someone because they associate with another person who possesses one of the following protected characteristics: age, race, religion or belief, sexual orientation, disability, gender reassignment and sex.

Discrimination by Perception

This is direct discrimination against an individual because others think they possess one of the following protected characteristics: age, race, religion or belief, sexual orientation, disability, gender reassignment and sex. It applies even if the person does not actually possess that characteristic.

Indirect Discrimination

Indirect discrimination can occur when you have a condition, rule, policy or even a practice that applies to everyone but particularly disadvantages people who share one of the following protected characteristics: age, race, religion or belief, sex, sexual orientation, marriage and civil partnership, disability and gender reassignment.

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”. Harassment applies to the following protected characteristics; age, disability, gender reassignment, race, religion or belief, sex and sexual orientation.

Employees are now able to complain about behaviour that they find offensive even if it is not directed at them. Employees are also protected from harassment because of perception and association.

The Equality Act makes CSWS potentially liable for harassment of our employees by people (third parties) who are not employees of CSWS such as service users or members of the public.

Victimisation

Victimisation occurs when an employee is treated badly (suffers a detriment) because they have made or supported a complaint or raised a grievance under the Equality Act 2010 or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

4 Scope

This policy applies to

- Employed staff, Trustees and volunteers including permanent, temporary, interim staff, those employed by third parties or on a consultancy basis
- Job applicants, Trustee and volunteer applicants
- Registered carers and potential service users going through the referral process
- Visitors to our premises including carers, relatives, suppliers of goods and services and users/hirers of the CSWD premise
- Attendees of CSWS events and activities including speakers, members of the public and stakeholder
- Colleagues of partner organisations

5 Policy objectives

The CSWS is committed to ensuring all adult carers in West Sussex are valued, listened to and have a strong voice in shaping services and their rights and needs are met. We aim to provide and deliver services that are accessible to the whole community with services and implementation processes being flexible, relevant, and of high quality for all.

Promotion

In relation to delivering our strategic aim to ensure all carers have access to an early offer of information, guidance and support they need, the organisation will take positive action to promote its services to all individuals and communities. This means targeting all who share protected equality characteristics who are under-represented in the take-up of our services so as to widen participation of socially or economically disadvantaged carers.

Accessibility of Service

In relation to delivering our strategic aim to ensure all carers have access to an early offer of information, guidance and support they need, the organisation will take all reasonable steps to make information and services accessible to all individuals and communities. This means targeting all who share protected equality characteristics. This includes decision-making and service implementation processes being flexible and open to reasonable adjustments to meet the needs of carers from protected groups.

Service Development

In relation to delivering our strategic aim to ensure all carers' voices are heard all are recognised as expert partners in care, the CSWS will take positive, active steps to seek the feedback, views and opinions of carers who share protected equality characteristics. This is in planning, developing and making decisions about the CSWS services and processes.

Training

The CSWS will provide appropriate training for staff, Trustees and volunteers in relation to Equality and Diversity to ensure all understand their responsibilities in eliminating any unlawful discrimination, harassment and victimisation, to foster good relations between people with different protected equality characteristics and to advance equality of opportunity between different groups.

Recruitment

The CSWS recognises the importance of having a workforce profile that broadly reflects the profile of the carers and communities we serve. We will actively promote and encourage job and volunteering applications from people with a range of diverse backgrounds to advance equality of opportunity between different groups and increase the diversity of our workforce profile.

6 Monitoring and Evaluation

This policy compliments the existing Equal Opportunities and Dignity at work Policy which covers Recruitment and Selection and Harassment, Bullying and Discrimination.

This policy will be reviewed on an annual basis to ensure the CSWS is adhering to all legislative policy and to ensure the organisation's objectives around the policy can be reviewed regularly.

The policy will be used as a framework around which to create an Equality and Diversity Action Plan. In conjunction with the policy this will also be reviewed annually, to monitor and evaluate the progress against the Action Plan and effectiveness of actions taken, to identify where improvements in relation to equality and Diversity across all areas of the organisation are needed, with the Policy and Action Plan being updated where required.

Complaints and Investigations Procedure

The Company will treat seriously all complaints of discrimination made by employees, clients, customers, suppliers, contractors or other third parties and will take action where appropriate.

If you believe that you have been discriminated against, you are encouraged to raise the matter as soon as possible with your manager or other senior manager using the Company's Grievance Procedure (outlined elsewhere in the Employee Handbook).

Allegations regarding potential breaches of this policy will be treated in confidence and investigated thoroughly. If you make an allegation of discrimination, the Company is committed to ensuring that you are protected from victimisation, harassment or less favourable treatment. Any such incidents will be dealt with under the Company's Disciplinary Procedures. If you are accused of unlawful discrimination, the Company will investigate the matter fully.

During the course of the investigation, you will be given the opportunity to respond to the allegation and provide an explanation of your actions.

If the investigation concludes that the claim is false or malicious, the complainant may be subject to disciplinary action.

If the investigation concludes that your actions amount to unlawful discrimination, you will be subject to disciplinary action, up to and including dismissal without notice for gross misconduct.

7 Responsibilities

All staff are responsible for ensuring they comply with the Equality and Diversity Policy and procedures and participate in mandatory training.

Failure to comply with the Equality and Diversity Policy and procedures will lead to disciplinary action which applies equally across all staff groups.

In some serious circumstances, a breach of the Equality and Diversity Policy may constitute a criminal offence, as well as being a breach of the Staff Codes of Conduct.

All Managers, Team Leaders are responsible for the effective implementation and monitoring of this Policy and procedures at operational level. They should familiarise themselves with the Policy and procedures and ensure that their staff are aware of how to access these and promote training in support of the policy.

The Chief Executive has overall responsibility for ensuring implementation and review of this policy, related procedures and other related policies including Harassment and Bullying. This includes:

- Ensuring that the Board are appropriately trained and updated in matters of equality and diversity
- Ensuring that all managers have access to the Policy and procedures and that they are aware of their responsibility to their staff

8 Communication

This Equality and Diversity policy is available on the organisation's Team Sits

All new staff will be made aware of the policy and their commitments under it as part of their induction and existing staff will receive annual communication, to refresh their knowledge of its contents and their responsibilities under it. Any changes or updates will be communicated to all staff when they are made.

The policy will be shared with current and potential partners and stakeholders.

Related Legislation

This Policy is based on the Equality Act 2010 including the Public Sector Duties that came into force in April 2011.

Related Policies

This policy is related to and should be read in conjunction with the following CSWS policies

- Harassment, Bullying and Discrimination Policy

- Equal Pay Policy Recruitment and Selection Policy
- Development and Opportunity Policy Retirement Policy
- Training and Induction Policy
- Maternity and Pregnancy Policy
- Flexible Working Policy
- Special Leave Policy
- Whistleblowing Policy
- Capability Assessment Procedures