

## 1625 INDEPENDENT PEOPLE EQUALITY AND DIVERSITY POLICY

### 1. POLICY STATEMENT

1625 Independent People aims to design and implement policy documents that meet the diverse needs of our service users and workforce, ensuring that none are placed at a disadvantage over others. It takes into account the provisions of the Equality Act 2010, including the Public Sector Equality duty when contracts are funded by a public body, and advances equal opportunities for all. Further information on the Public Sector Equality duty can be found here

<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty>

This document has been assessed to ensure that no one receives less favourable treatment due to the protected characteristics of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, ethnic or national origin), religion or belief, sex (gender) or sexual orientation. Performance will be measured by the HR team on an ongoing basis and reported to Board and Senior Management annually with any recommendations for improvement.

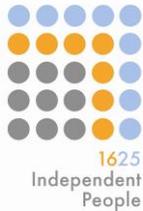
In carrying out its functions, Independent People must have due regard to the different needs of different protected equality groups in their area. This applies to all the activities for which Independent People is responsible, including service delivery, policy development, review and implementation.

Independent People is committed to promoting equality of opportunity for all staff, job applicants and service users. We aim to create a working and operational environment in which all individuals are able to make best use of their skills, that is free from discrimination, harassment and victimisation, and in which all decisions are based on merit.

Our aim is to achieve continuous improvement for all of our services and this document will explain how we intend to evaluate our services and measure our performance in terms of equality, as well as setting out our commitments to equality in service delivery, accessibility and development. This also applies when we are developing plans, policies and strategies and in our work with suppliers, contractors and partners.

We acknowledge that discrimination and prejudice exist and we are committed that no-one working with us, applying to work with us, receiving our services or applying for services is discriminated against in terms of any protected characteristic (although it should be noted that housing and support services are restricted to those aged 16 to 25).

We also aim to ensure that no one is discriminated against on the grounds of having a criminal conviction. However, given the vulnerability of the young people we house and support, we will consider criminal convictions of applicants to our services and for employment. We will not employ or provide services to anyone if this would present an unacceptable high risk to service users or our employees.



This Policy does not form part of any employee's contract of employment and may be amended at any time.

## 2. WHO IS COVERED BY THIS POLICY

This policy covers all individuals working at all levels and grades, including managers, officers, directors, employees, consultants, contractors, trainees/apprentices, homeworkers, part-time and fixed-term employees, volunteers, interns, casual workers, Board members and agency staff (collectively referred to as *staff* in this policy). It also covers our service users and other organisations with whom we work.

## 3. SCOPE AND PURPOSE

This policy formalises Independent People's commitment to quality, effectiveness and efficiency underpinned by equality for everyone referenced in section 2 above.

This policy applies to all aspects of our relationship with everyone referenced in section 2 above and to relations between staff members at all levels. This includes job advertisements, recruitment and selection, training and development, opportunities for promotion, retention, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, and termination of employment.

We will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities, as well the diverse needs of the communities in which we work, which includes identifying and responding to the differing needs, backgrounds and requirements of service users, which incorporates fair access and exit from our services. Our approach to these issues is explained further in the relevant policies, as set out in section 14 of this Policy.

## 4. FORMS OF DISCRIMINATION

Discrimination by or against an employee is prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

**Direct discrimination** occurs where someone is treated less favourably because of one or more of the protected characteristics set out above. For example, rejecting an applicant on the grounds of their race because they would not "fit in" would be direct discrimination.

**Discrimination by association** applies to age, race, religion or belief, sexual orientation, disability, gender reassignment, and sex. This is direct discrimination against someone because they associate with another person who has a protected characteristic.

**Perception discrimination** 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 have a particular protected characteristic. It applies even if the person does not actually have that characteristic.



**Indirect discrimination** occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage. For example, a requirement to work full time puts women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement will need to be objectively justified. Another example could be the requirement of a lengthy period of local residence before an applicant can be considered for re-housing. In some areas, such a rule will disproportionately affect members of ethnic minority communities.

**Harassment** applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. 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 have the relevant characteristic themselves. Employees are also protected from harassment because of perception and association. Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our *Harassment and Bullying Policy*.

**Harassment by others** applies to age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation. An employer can find themselves potentially liable for harassment of their employees by people who are not employees of their company, such as customers or clients. It is possible to be liable when unaware that harassment has taken place, and having not taken reasonable steps to prevent it from happening again.

**Victimisation** is less favourable treatment of someone who has complained or given information about discrimination or harassment, or supported someone else's complaint.

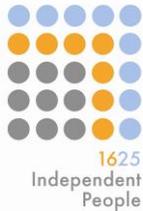
**Institutional discrimination** is the collective failure of an organisation to provide appropriate and professional treatment or service to people because they are part of a minority group. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and inappropriate stereotyping, which disadvantages people from minority groups.

**A racist incident** is any incident which is perceived to be racist by a victim or any other person.

## 5. INDEPENDENT PEOPLE AS A SERVICE PROVIDER

### 5.1 Our commitments to you

1. We will periodically monitor and analyse applications, access and exit from our services, service quality and any complaints, comments and compliments to ensure, as far as possible, that discrimination does not occur;
2. We will not discriminate against an applicant for housing, support, information, advice or guidance services on the grounds of the source of the application or any protected characteristic;
3. Contractors or providers of services to Independent People who harass, discriminate, victimise or prevent equality of opportunity to any of our staff or service users, including by



- protected characteristic - verbally, physically or by any other means - may have their contracts terminated and be removed from the Approved Contractors List;
4. We will assess equalities issues to avoid discrimination when developing services. We will develop an Equality Impact Assessment at the design stage and review it regularly, with partners as required, and at an appropriate frequency;
  5. We will strive to provide an accessible environment for disabled people, including making access improvements where identified and practicable;
  6. We will ensure that information about services is published as widely as possible and in such formats so as to encourage awareness amongst all service users and potential service user groups and relevant referral agencies;
  7. We will continually review alternative ways of making service delivery more accessible;
  8. We will foster good relations between people who share a protected characteristic and people who do not share it;
  9. We will ensure equality when dealing with complaints, appeals, comments, compliments and requests for action;
  10. We will work with partner agencies to improve equality of opportunity and/or tackle discrimination, harassment or victimisation where identified;
  11. We will ensure that there is a planned approach to supporting victims of any form of abuse, harassment, discrimination or victimisation (see also Section 14 - links to related policies) in a planned way;
  12. We will ensure that information is available to service users about culturally-specific services and about organisations and centres that provide services to protected characteristic and community groups;
  13. We will take a multi-agency approach to preventing and tackling discrimination, harassment and victimisation.

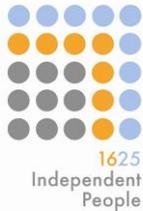
## **5.2 Measuring our progress**

As part of our commitment to continually improving performance we will:

1. Incorporate equalities into our procurement and delivery arrangements when not expressly prevented by legislation or statutory guidance;
2. Monitor the equalities profile of our service users, including applicants, and complete regular reviews of service access, exit, service quality, case review and complaints, comments and compliments against protected characteristic groups;
3. Review and report annually on our service delivery, or more frequently as required by contract;
4. Make sure all reports to our Board identify Equality and Diversity implications and/or impact.

## **6. INDEPENDENT PEOPLE AS A POLICY MAKER**

Independent People is concerned that no policy discriminates directly or indirectly against any groups in our community. We will review policies, strategies and plans to ensure that they are fair.



## 6.1 Our commitments to you

We will:

1. Consider equalities as part of each policy deliberation and annual business plan review, taking corrective action where appropriate;
2. As appropriate, develop an Equality Impact Assessment at policy design or review stage;
3. Promote and contribute to improving the awareness of equality in the communities and strategy groups as part of our strategic role, particularly with regard to the needs of young people;
4. Include the fostering of good relations between people who share a protected characteristic and people who do not share it in our policy work;
5. Use law, national guidelines and definitions to inform our practices;
6. Involve service users in design and review of policy.

## 6.2 Measuring our progress

As part of our commitment, we will manage our performance in the following ways:

1. Report annually on our service delivery;
2. Report to all external commissioners and funders as required;
3. To demonstrate our compliance with the Equality Act (2010), Public Sector Equality Duty (2011), we will provide, at the relevant frequency to public bodies with whom we work, relevant equality data or information for publication and input relevant, proportionate information into commissioners' strategic equality objectives. Published data will be provided in a way that makes it easy for people to access and understand it and will include specific and measurable actions that we will set ourselves and the periodic review and announcement of our equality objectives;
4. Transfer learning from our analyses, reports and feedback processes into better practice.

## 7. INDEPENDENT PEOPLE AS AN EMPLOYER

We will maintain an environment where no individual is subject to discrimination, harassment or victimisation on the grounds of age, disability, gender reassignment, marital or civil partnership status, pregnancy and maternity, race (including colour, nationality, ethnic or national origin), religion or belief, sex (gender) or sexual orientation. Independent People is committed to a policy of equality both in the workplace and when recruiting employees (see *Recruitment Policy and Procedure*) and will have employment practices that are fair and open. We will:

1. Monitor and take action to ensure that employment policies and procedures are operated in such way that removes or minimises disadvantages suffered by people due to their protected characteristic;
2. Ensure the workforce is appropriately representative of the service users we support and of the communities within which we work and seek to attract a wide range of applicants for posts at all levels in the organisation, advertising as widely as possible;



3. Endeavour to ensure the workplace is free from unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
4. Work with employees to foster good relations between people who share a protected characteristic and people who do not share it, endeavouring to tackle prejudice and promote understanding between staff from different groups;
5. Strive to provide an accessible environment for disabled people, including making reasonable adjustments or access improvements where identified and practicable;
6. Offer relevant training and development for employees on a fair and equal basis;
7. Ensure employees are fully aware of this Policy, what it means for them and what responsibilities it entails, through induction, supervision and disciplinary or grievance procedures, where applicable.

### 7.1 Measuring our progress

As part of our commitment to maintaining and improving our performance, we will produce quarterly Human Resources Reports to the Senior Management Team and an Annual Human Resources Report for the Board that records the following, as appropriate to the type of report:

1. The composition of all full and part time employees, relief workers, volunteers and Board members by nationality, ethnic origin, religion, gender, sexual orientation, age and disability. If it is established that the workforce is not representative of the young people we support, steps will be made to undertake targeted recruitment for future roles;
2. The composition of all applicants, shortlisted applicants, appointed applicants, redeployment and internal promotions for vacancies by ethnic origin, religion, disability, sexual orientation, gender and age;
3. The composition of employees who raised a formal complaint via the *Grievance Procedure* by ethnic origin, religion, disability, sexual orientation, gender and age;
4. The composition of employees who have undergone a disciplinary investigation process under the *Disciplinary Procedure* by ethnic origin, religion, disability, sexual orientation, gender and age;
5. The composition of employees who have applied for flexible working under the *Flexible Working Policy and Procedure* by ethnic origin, religion, disability, sexual orientation, gender and age, and the relevant outcomes;
6. Sickness absence levels including action taken to address these where relevant and what support measures, including adjustments, are implemented in individual cases.

We will maintain records of the following:

1. Advertisements for vacancies by date advertised, place advertised and whether the vacancy was advertised internally only or externally at the same time.

### 7.2 Recruitment and selection

We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics noted above. Our recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits, abilities and qualifications. Job



selection criteria are regularly reviewed to ensure that they are relevant to the job and are not disproportionate. Shortlisting of applicants is done by more than one person.

Our job advertisements avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying. They include an appropriate short policy statement on equal opportunities and a copy of this policy is available to download from our website.

We take steps to ensure that our vacancies are advertised to a diverse labour market, for example, through local press or targeted media and, where relevant, directly to particular groups that have been identified as disadvantaged or underrepresented in our organisation. Where appropriate, HR may approve the use of lawful exemptions to recruit someone with a particular protected characteristic - for example, where the job can only be done by a woman. The advertisement will specify the exemption that applies.

Applicants are not asked about health or disability before a job offer is made. There are limited exceptions, which should only be used with HR approval. For example:

- a) Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments);
- b) Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment;
- c) Positive action to recruit disabled persons;
- d) Equal opportunities monitoring (which will not form part of the decision-making process).

Applicants are not asked about past or current pregnancy or future intentions related to pregnancy. Applicants are not asked about matters concerning age, race, religion or belief, sexual orientation or gender reassignment without the approval of HR (who will first consider whether such matters are relevant and may lawfully be taken into account).

We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status are not made based on appearance or apparent nationality. All prospective employees, regardless of nationality, are asked to produce original documents, such as a passport, before employment starts to satisfy current immigration legislation (see *Right to work in the UK guidance* - in recruitment folder on our shared drive). The list of acceptable documents is available from the UK Border Agency.

To ensure that this Policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged at any stage of the recruitment process, we monitor the ethnic group, gender, disability, sexual orientation, religion and age of all applicants, those shortlisted and those successful at interview, as part of the recruitment procedure. Provision of this information is voluntary and it does not adversely affect an individual's chances of recruitment or any other decision related to their employment. This information and all personal details, such as address and telephone number, are not visible to the shortlisting panel and are securely stored on our Applicant Tracking System (ATS). Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.



### **7.3 Training and promotion and conditions of service**

Staff training needs are identified through our core training plan, as well as regular staff supervisions and personal development reviews. All staff are given appropriate access to training, to enable them to progress within the organisation, and all promotion decisions are made on the basis of abilities, merit and qualifications.

Workforce composition and promotions are regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps are taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.

Our conditions of service, benefits and facilities are reviewed regularly (accessible on the shared IT drive) to ensure that they are available to all staff, who should have access to them, and that there are no unlawful obstacles to accessing them.

### **7.4 Disability discrimination**

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

If you experience difficulties at work because of your disability, please speak to your line manager about any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager may wish to consult with you and your medical adviser(s) about possible adjustments. We will consider the matter carefully and try to accommodate your needs. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.

We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage compared to other staff. Where reasonable, we will take steps to improve access for disabled staff and service users.

### **7.5 Fixed term employees and agency workers**

We monitor our use of fixed-term employees and agency workers, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. We will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

### **7.6 Part time work**

We monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. We



will ensure requests to alter working hours are dealt with appropriately under our *Flexible Working Policy and Procedure*.

## 7.7 Termination of employment

We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

## 8. COMMUNICATING THE POLICY

A copy of this Policy is made available in the course of the recruitment process for all job applicants. All new staff are given a copy of this Policy as part of the employee induction. All existing staff have access to this Policy via our shared IT drive, in the Policies and Procedures folder.

All new service users will have a copy of this Policy in summary form in their sign up packs and this will be discussed with them when they start to receive a service. Full copies of the Policy will be available on request.

Main referrers will have a copy of this policy via their referral procedures. Other referrers can obtain a copy on request. Copies are displayed on staff notice boards.

## 9. COMPLAINTS AND BREACHES OF THIS POLICY

**Service users** - if you believe that you may have been discriminated against or victimised, you are encouraged to raise the matter through our *Complaints Procedure*. If you believe that you may have been subject to harassment you are encouraged to raise the matter through our *Harassment and Bullying Policy*. If you are uncertain which applies or need advice on how to proceed you should speak to your support worker or a manager.

**Staff** - if you believe that you may have been discriminated against or victimised, you are encouraged to raise the matter through our *Grievance Procedure*. If you believe that you may have been subject to harassment you are encouraged to raise the matter through our *Harassment and Bullying Policy*. If you are uncertain which applies or need advice on how to proceed you should speak to your line manager or another manager if you do not consider it appropriate to speak to your own line manager. We also operate a *Concerns at Work Policy* aimed to encourage staff to disclose information which relates to suspected wrongdoing or dangers at work.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Service users/staff who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made by staff in bad faith will, however, be dealt with under our *Disciplinary Procedure*.



Any service user who is found to have committed an act of discrimination, harassment or victimisation will be subject to action which could include notice on accommodation if you live with us or service closure if you receive a support service. Any member of staff who is found to have committed an act of discrimination, harassment or victimisation will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. We take a strict approach to serious breaches of this Policy.

## 10. MONITORING, REVIEW AND EVALUATION

This Policy is reviewed regularly, particularly if there is relevant legislative change to incorporate, and responsibility for this lies with the Senior Management Team and the HR Team. The organisation is also committed to a comprehensive and thorough review every 3 years of its performance, policy and practice of ensuring equal opportunity and promoting anti-discriminatory practice. The responsibility for this lies with the Management Team and the Board members.

We will continue to review the effectiveness of this Policy to ensure it is achieving its objectives. As part of this process we monitor the composition of job applicants and the benefits and career progression of our staff.

Staff are invited to comment on this Policy and suggest ways in which it might be improved by contacting the HR Team.

Our monitoring systems will collate information that will enable us to assess the effectiveness of the Policy and identify where changes need to be made, including making changes as a result of service user consultations, comments and complaints.

## 11. ANNUAL ACTION PLAN

Each year we will develop an Equality and Diversity Annual Action Plan, which is agreed by the Senior Management Team and Board. The Plan will set down all action for the coming year that will help us to continually strive for better performance in all relevant policy areas and it will set out actions seeking to address any identified under representation or any areas of potential discrimination across the organisation (service users, staff/volunteers and Board members).

Our quality management systems include internal and external audits and performance measures. Any equalities actions arising from these will be added to the plan.

## 12. RESPONSIBILITY FOR THE EQUALITY AND DIVERSITY POLICY

All employees and others who work on behalf of Independent People have a duty to carry out the requirements and responsibilities outlined in this Policy. Particular responsibilities include:

- 12.1 Board members** - Board members support this Policy and will work toward the promotion of equalities in all of Independent People's policies and other activities. The Board has a nominated 'Equalities Champion' role whose role it is to have



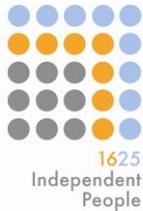
equalities at the forefront of their thinking in all Board discussions and to make sure that we are thinking about equality and diversity issues in all of the organisation's work. Equalities training is part of the training provided to Board members.

- 12.2 Chief Executive Officer** - The Chief Executive Officer has overall responsibility for the effective operation of this Policy and for ensuring compliance with law, updating the Equality and Diversity Action Plan for staff and policy issues as relevant. Day to day operational responsibility, including regular review of this Policy, has been delegated to the Operations Directors for take up of service and the Chief Executive Officer for employment.
- 12.3 SMT** - The Senior Management Team are responsible for analysis of the data collected on service users, the identification of any issues that these present and the formulation of actions to combat any under representation or potential discrimination issues and are responsible for updating the Equality and Diversity Action Plan for service user issues. The Senior Management Team have overall responsibility for equal opportunities training.
- 12.4 All managers** are responsible for overseeing the implementation of the Policy in the day to day delivery of services and collation of monitoring information. Managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the Policy and promote our aims and objectives with regard to equality and diversity.
- 12.5 All line managers** are responsible for ensuring that their staff are given appropriate training on equality awareness and, in addition, that all managers receive training on fair recruitment and selection best practice. Equalities training is part of our core training programme.
- 12.6 Staff** - All staff have a responsibility to implement the Policy and work toward the provision of services that meet the goals and objectives of the Policy. All staff have a duty to act in accordance with this Policy and treat colleagues accordingly at all times and not to discriminate against, harass or victimise other members of staff or service users, regardless of their status. In addition to this Policy, attention should be drawn to our separate *Harassment and Bullying Policy*.

If you are involved in management or recruitment, or if you have any questions about the content or application of this Policy, you should speak to your line manager to request training or further information.

## 13. DATA PROTECTION COMPLIANCE

All personal information generated in the course of the execution of this Policy will be stored securely and confidentially and processed in line with our obligations under data protection legislation.



## 14. RELEVANT LEGISLATION AND GUIDELINES

The Equality Act 2010, including the Public Sector Equality Duty  
Rehabilitation of Offenders Act 1974 (including new guidance March 2014)  
Legal Aid, Sentencing and Punishment of Offenders Act 2012  
The Employment Act 1989 and the Employment Rights Act 1996  
Pregnant Workers Directive  
Article 119 of the Treaty of Rome & Equal Treatment & Equal Pay Directives made under the Treaty  
The UN Convention on the elimination of all forms of discrimination against women  
The UN Convention on the elimination of all forms of racial discrimination  
The UN International Covenant on civil and political rights  
The UN International Covenant on economic, social and cultural rights  
The UN Standard Rules on equalisation of opportunities for people with disabilities  
The Human Rights Act 1998  
Employment Relations Act 2004 as amended  
Part-time Workers (less favourable treatment) Regulations 2000  
Immigration, Asylum and Nationality Act 2006  
The Police Act 1997  
The Civil Partnership Act 2004  
The Data Protection Act 2018  
General Data Protection Regulation (EU) (2016/679)  
The Privacy and Electronic Communication (EU Directive) Regulations 2003  
Freedom of Information Act 2000  
The Environmental Information Regulations 2004

## 15. LINKS TO OTHER POLICIES

Other relevant policies include:

1. Code of Conduct
2. Training and Development Policy
3. Supervision Policy
4. Performance Management Policy
5. Complaints Policy
6. Safeguarding Children and Young People Policy
7. Safeguarding Adults Policy
8. Recruitment Policy
9. Referrals and Allocation Policy
10. Move On and Service Closure Policy
11. Eviction and Possession Policy
12. Health and Safety Policy
13. Grievance Policy



14. Concerns at Work Policy (Whistleblowing)
15. Disciplinary Procedure
16. Harassment and Bullying Policy
17. Racial Harassment and Hate Crime Policy
18. Sexual Harassment Policy
19. Antisocial Behaviour Policy
20. Domestic Violence Policy (separated for staff, volunteers and service users)
21. Family Leave Policy
22. Flexible Working Policy
23. Flexitime Policy
24. Management of Stress at Work Policy
25. Sickness Absence Policy
26. Redundancy Policy
27. Data Protection Statement and Policy Position
28. Remote Working Policy
29. Quality Assurance Policy