DIVERSITY, EQUITY AND HUMAN RIGHTS POLICY

|  |  |
| --- | --- |
| Version number: | 4.1 |
| Consultation Groups  | The policy has been developed in consultation with staff, Trade Unions, and Staff Networks and is based on national guidance detailed in Appendices.Advice on the policy can be sought from the HR Department. |
| Approved by (Sponsor Group) | Joint Staff Committee |
| Ratified by: | Joint Staff Committee |
| Date ratified: | June 2023 |
| Name of originator/author: | Revised by:Juliana Ansah |
| Executive Director Lead: | Tanya Carter |
| Implementation Date: | January 2019 |
| Last Review Date: | June 2023 |
| Next Review date: | June 2025 |

Version Control

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Version | Date | Author | Status | Comment |
| 4 | January 2019 | Charles Allen, Associate Director of HR; Olga Osokina, OD Manager | Previous  | Replaces version 3  |
| 4.1 | December 2022 |  | Extended | Extended for 6 months by ELFT Unite Branch |
| 4.1 | June 2023 | Juliana Ansah, Head of Equity, Diversity, and Inclusion; and Trade Union. | Current | Replaces all previous Equality, Diversity and Human Rights Policies. |

**CONTENTS**

[1.0 Introduction 3](#_Toc137722193)

[2.0 Policy Statement 3](#_Toc137722194)

[3.0 Scope of the Policy 4](#_Toc137722195)

[4.0 Our Strategy 4](#_Toc137722196)

[5.0 Implementing the Policy 5](#_Toc137722197)

[6.0 Roles and Responsibilities 5](#_Toc137722198)

[7.0 Staff Equality Networks 7](#_Toc137722199)

[8.0 Compliance 7](#_Toc137722200)

[9.0 Monitoring and Assurance 8](#_Toc137722201)

[10.0 Monitoring and Assurance 9](#_Toc137722202)

[11.0 Concerns and Complaints 9](#_Toc137722203)

[12.0 Definitions 10](#_Toc137722204)

[13.0 Stages of Employee Lifecycle 14](#_Toc137722205)

[14.0 Advice and Support 17](#_Toc137722206)

# Introduction

Advancing equality of opportunity, valuing the diversity and respecting human rights are fundamental to the vision and core values of East London NHS Foundation Trust (herein referred to as ‘the Trust’)

The Trust wishes its staff to work in a safe and healthy environment which is inclusive and fair and where each employee feels respected and is encouraged to develop their full potential. The Trust wishes to develop a compassionate working culture where unconscious bias that leads to the development of microaggressions are identified early, can be spoken about in a safe, open and transparent manner so situations that result in discrimination do not develop in the first place.

The Trust will not tolerate bullying, harassment, discrimination, or victimisation in any form. Every employee is entitled to work in an environment that promotes compassion, dignity and respect. As well as upholding the rights of staff, this policy also places responsibilities on all members of staff in respect of the way they behave towards others.

The Trust is committed to protecting its staff from intimidation, bullying, harassment, discrimination and victimisation. Breaches of this policy will be regarded as misconduct and could lead to disciplinary proceedings.

This policy sets out the standards of behaviour required and applies to all staff, including employees, bank workers, medical staff, students and trainees.

It covers the behaviour of staff on Trust business or engaged in activities relating to the Trust or providing services to the Trust in all locations and situations, including:

* All Trust sites and any other place where staff are representing the Trust.
* At events such as social functions, conferences or work assignments which are related to the Trust.
* In writing, on the telephone, by e-mail or on the internet in any Trust related activity.

It may also apply to the behaviour of staff outside the work environment e.g. on Social Networking sites such as Facebook, Twitter etc where “Cyberbullying” may have a detrimental impact on Trust staff and may bring the Trust into disrepute.

Only with the help and commitment of present and future staff will the Trust be able to provide sensitive and effective health care to all its population. We want ELFT to be the employer of choice.

# Policy Statement

The Trust positively welcomes diversity in its workforce and service users [patients, clients and carers] and recognises the richness that this brings to the organisation. The Trust is opposed to all forms of unlawful and unfair discrimination and victimisation. The Trust expects its workforce to treat all staff, patients, visitors and service users with dignity and respect, in a non-discriminatory manner and in accordance with their individual needs.

The Trust recognises its legal responsibilities as contained in the Equality Act 2010, Human Rights Act 1998, and the aims of the Public Sector Equality Duty (PSED) which are listed in Section 49 (1) of the Equality Act 2010 as follows:

* To eliminate unlawful discrimination, harassment and victimization and other conduct prohibited under the Act.
* To advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
* To foster good relations between people who share a relevant protected characteristic and people who do not share it.

It is the duty of the Trust to ensure that no user of its services, prospective or present member of staff receives less favourable treatment or is in anyway disadvantaged because of a protected characteristic. The protected characteristics include age, disability, gender, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief and sexual orientation.

# Scope of the Policy

The Policy applies to all staff employed by the Trust including bank, agency, and honorary staff; as well as students , trainees and volunteers. The Policy also covers staff seconded to the Trust by virtue of Section 31 Partnership Agreements. Although this Policy does not apply directly to external contractors and other visiting workers (whether NHS or non-NHS employee) whilst undertaking work on behalf of the NHS they will be expected to abide by this Policy.

# Our Strategy

“By developing effective equality, diversity and human rights practice we want to be inclusive enabling every member of staff, service user and carer to be their most authentic self and to achieve their potential for development and recovery.”

The Trust’s Equality, Diversity & Human Rights Strategy launched in 2018. The strategy outlines the key priorities that will help drive forward the Equality, Diversity and Human Rights agenda to deliver continuous improvement in the Trust’s performance:

1. Use the demographic equality data from the breadth of our work (both formal and informal).
2. Set external benchmarks to help assess performance.
3. Expand on the recruitment best practice.
4. Improve the quality of care, using the work on violence and restrictive practices.
5. Support the development of mature staff equality networks.
6. Work with our partners to address the stigma of mental health and help deliver integrated care that meets the diverse needs of local communities.

Objectives of the Trust’s equality plan link directly to our Trust’s strategy and presents key actions and priorities that will help the Trust to achieve exemplary performance and practice.

# Implementing the Policy

This policy sets out the framework for equality and fairness in employment and is a statement of commitment to equality and diversity in the workplace.

The implementation of this policy is through the fair and appropriate application of all Trust employment policies, with particular priority given to the following:

* Recruitment and Selection Policy
* Harassment and Bullying Policy
* Disciplinary Policy
* Grievance Policy
* Workplace Adjustment Guidance
* Maternity/Maternity Support/Adoption Leave Policies
* Special Leave Policy
* Flexible Working Policy
* Redeployment Policy
* Redundancy Policy
* Training Policy
* Appraisal Policy

This list of policies is not exhaustive, and others may be relevant over time.

# Roles and Responsibilities

**6.1 Trust Responsibilities**

* The Trust has a legal and moral responsibility to ensure that it and all its staff do not unlawfully discriminate and recognises that it should not just seek to avoid such discrimination but should develop positive policies to widely promote equality, diversity and human rights.
* The Trust is responsible for safeguarding its staff from all forms of unlawful discrimination by service Users, their families, carers and friends, as well as staff of subcontractors.
* The Trust seeks to provide opportunities for all staff to develop their potential and for service users to have equal access to services that will facilitate their best care and rehabilitation.
* The Trust is liable, together with individual members of staff, for any acts of unlawful discrimination by its staff, even when such acts are carried out without its knowledge or approval.
* The Trust is responsible for ensuring that its Policy provisions comply with the relevant UK laws and regulations.

**6.2 Manager Responsibilities**

* Managers and Supervisors must ensure that actual or potential discrimination within their sphere of responsibility is removed and that they discharge their responsibilities in a manner free of discriminatory practices.
* Managers must ensure that the staff they manage are aware of their responsibilities, the relevant legislation and that they comply with the standards set by this Policy.
* Managers must promptly, confront behaviors or displays of attitudes that fall below acceptable standards.
* Managers must deal with complaints and grievances promptly and in a fair and consistent manner.
* Managers must ensure proper records of recruitment/selection decisions are maintained, and regular reviews carried out of employment practices.
* Managers must lead by example and set standards that promote the principles of this Policy.
* Managers must create an environment and culture where equal opportunities are promoted and encouraged.

**6.3 Employee Rights and Responsibilities**

* It is the duty of all staff to accept personal responsibility for the practical application of this Policy.
* Employees can expect to be treated with dignity and without discrimination in all matters associated with their employment.
* Employees must not discriminate in the way they behave towards others.
* Employees must not victimise individuals on the grounds that they made a complaint or provided information on discrimination.
* Employees must not practice discrimination themselves, for example: as persons responsible for selection decisions, nor to condone it in others.
* Employees must not attempt to induce other members of staff to practice unlawful discrimination.
* All employees have a responsibility to alert management to any behaviour that is perceived as being in breach of this Policy.
* All employees are expected to co-operate with the policies and procedures introduced to promote equality, diversity, and human rights.

**6.4 People and Culture Department Responsibilities**

* The Director of People and Culture will have delegated responsibility for overseeing the introduction, implementation, and continuing effectiveness of this Policy. This includes the promotion of equality of opportunities throughout the Trust and the regular reporting of progress to the Trust Board.
* The People and Culture Department has a responsibility to ensure that the Policy is followed and applied fairly and consistently. Their duties include:
* Advising managers on the application of the Policy.
* Ensuring the effective implementation of the Policy.
* Reviewing and amending the Policy as necessary.

# Staff Equality Networks

Our approach to implementing the Trust’s Equality, Diversity, and Human Rights Strategy and PSED is built on the principles of inclusion, accountability, partnership, and open and honest dialogue. Therefore, staff are able to express their feedback, suggestions, and concerns via a number of channels, including quarterly ‘Friends and Family Test’ and Annual ‘Staff Survey’.

Staff are also given the opportunity to be involved in a range of networks and projects to bring about changes and improvements in the way we deliver services. Our staff networks include:

* Race and Culture Equity (RaCE) Network
* ELFT Ability Network
* Lesbian, Gay, Bisexual, Transgender, Queer, Intersex and Asexual (LGBTQIA+) Network
* Women’s Network
* Intergenerational Network
* Men’s Network

The Staff Equality Networks are coordinated by Network Leads and overseen by a Network Lead Sponsor (Executive Director). All Networks report to Trust’s Equality and Diversity Executive Lead (Chief Nurse) and regularly meet with the CEO. The Network Leads meet monthly with Head of Equality Diversity and Inclusion, and report on their quarterly progress to the Trust Board. Their working plans feed into Trust’s Workforce Strategy as well as Equality, Diversity, and Human Rights Strategy.

# Compliance

The Equality Programme Group holds the Trust to account on its strategy and also has a remit to help ensure our equality, diversity and human rights work makes a positive impact. The group will report on progress and ensure this work delivers a strong and robust strategy across the whole organisation. Data action plans will be developed to identify any required actions which will feed into the Workforce Strategy and Trust’s Equality, Diversity, and Human Rights Strategy.

Data will be collated from the following:

* In compliance with the Equality Act 2010, the need to demonstrate ‘due regard’ to the Public Sector Equality Duty (PSED) to eliminate discrimination and harassment, advance equality of opportunity and foster good relations.
* Equality Impact Assessments (EIA) will be carried out on all new policies and service changes to ensure that any adverse effects on people with protected characteristics are identified and action taken to mitigate if possible. EIAs are an important tool for helping the Trust meet its PSED.
* The Workforce Race Equality Standard (WRES) requires us to publish data on nine indicators about the workforce and our results in the national staff survey, including Black and minority ethnic (BME) staff, the Board, CPD and equal opportunities for career progression.
* The Workforce Disability Equality Standard (WDES) sets out a series of metrics, which require NHS organisations to report annually on disability equality and to produce an action plan to address any differences in treatment between disabled and non-disabled staff. The metrics focus on areas where evidence shows that outcomes for disabled staff are poorer when compared to those of non-disabled colleagues. It is envisaged that the WDES will help to turn these negative experiences around.
* The Equality Delivery System 2 (EDS2) requires us to self-assess as ‘undeveloped’, ‘developing’, ‘achieving’ or ‘excelling’ as applied to the ‘protected characteristics’ in four domains of better health outcomes, improved patient access and experience, a representative and supported workforce and inclusive leadership.
* The Accessible Information Standard sets out expectations on the accessibility of information and the support for disabled people with five key elements: identification, recording, flagging, sharing and meeting needs.
* Gender Pay Gap is the percentage difference between average rates of pay for men and women across a whole workforce. It reflects broad trends in employment and salaries at an organisation, rather than comparing individuals. It’s not the same as equal pay, which is the legal requirement to pay men and women the same rate for the same or similar work.

# Accessibility

East London NHS Trust NHS Foundation Trust respects and values its staff and is committed to enhancing the experience of disabled staff. The Equality Act 2010 requires employers to make ‘reasonable adjustments’ to make sure disabled staff aren’t substantially disadvantaged when doing their jobs. The Trust therefore has a legal requirement to make reasonable adjustments for disabled staff. When the duty arises, we are under a positive and productive duty to take steps to remove, reduce and prevent obstacles.

To enable people with disabilities to live independently and participate fully in all aspects of the employment cycle, The Trust will take appropriate measures to ensure to people with disabilities access, on an equal basis as people without disabilities, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services. These measures, which will include the identification and elimination of obstacles and barriers to accessibility, will apply to:

* Buildings and other indoor and outdoor facilities.
* Information, communications, and other services.

Trust will also take appropriate measures:

1. To develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services.
2. To ensure that private entities that offer facilities and services consider all aspects of accessibility for persons with disabilities.
3. To provide training on accessibility issues facing people with disabilities.
4. To provide buildings and other facilities with signage that is tactile and in easy to read.
5. To promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information.
6. To promote access for people with disabilities to new information and communications technologies and systems.

# Monitoring and Assurance

This Policy will be reviewed in two years and will be regularly reviewed and refined by the Trust’s Head of Equality, Diversity, and Inclusion. Progress is reported on to the Council of Governors. The Strategy will also be updated to take account of changes to relevant national policy.

To ensure that this Policy is consistently applied, co-coordinating responsibilities have been assigned to the Chief People Officer who will monitor the operation of the Policy for both employees and job applicants and undertake periodic audits.

The People and Culture Department will collect and maintain equality information for all employees, in addition to internal and external job applicants. This includes the analysis of information on all protected characteristics. Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the General Data Protection Regulation (GDPR).

The annual Staff Survey and quarterly Friends and Family Test will also provide benchmarking information; and other feedback channels such as Staff Networks and Freedom to Speak up Guardian will help the Trust to pick up any patterns and pointers for action.

The Learning and Development Department will report to the Trust Board on the uptake of both internal and external training courses by all protected characteristics through the annual equality and diversity reporting process.

The results of monitoring will be reviewed at 12 monthly intervals to assess the effectiveness of this Policy. A report will be provided to the Trust Board and Joint Staff Committee and will also be fed back to all Trust staff so as to ensure a wide-ranging awareness and debate on issues of equality throughout the organisation.

# Concerns and Complaints

Complaints from the public that they have been unlawfully discriminated against while seeking employment with the Trust will be investigated under the relevant complaint’s procedure. Complaints by service users and carers that they have been discriminated against or harassed by a member of staff will be investigated in accordance with the Complaints Procedure and the Disciplinary Procedure.

Any member of staff who feels that they have been discriminated against or victimised may raise the matter by using the Trust’s Grievance Procedure or Dignity at Work Policy. The Trust will fully investigate reported incidents of alleged discrimination.

**Complaints must not contain the use of offensive or discriminatory language against the complainee.** Any member of staff who is found to have discriminated against others may face disciplinary action in accordance with the Trust’s Disciplinary Policy.

**11.1 Informal Action**

Members of staff who feel that they are suffering racial, sexual, or other harassment by a patient, service user, carer or relative should take the following steps:

* The complainant should ask the harasser to stop, making it clear that the behaviour is unwelcome.
* If the initial approach does not end the harassment, the complainant should report the matter to their line manager or another senior manager.
* The manager should discuss the matter sensitively with the complainant and try to reach agreement on the next course of action, such as mediation.
* If the harassment persists after informal approaches have been made by the complainant and/or the manager, more formal action may be taken.
* The manager can take either informal or formal action; the complainant may choose whichever option they prefer.
* However, the manager may consider that formal action is necessary in order to fulfil the Trust’s duty to take reasonable steps to prevent such behaviour recurring. In these circumstances the manager may take formal action even if the complainant would prefer the matter to be dealt with informally.

**11.2 Formal Action**

The manager (or appropriate senior lead) responsible for the service must be informed in writing of the complaint and the informal actions taken to resolve the matter. This should be copied to the People Relations Team. The responsible manager will consider:

* The degree to which the incidents undermine personal dignity, relationships with patients or service users, and the working climate.
* Any record of previous incidents, their nature and degree of severity.
* The effectiveness of any formal action in preventing repeat harassment, e.g., taking into account the patient’s health problem or mental state.
* The effect of the harassment on the complainant.

If the complainant is dissatisfied with the manager’s action, they may address the matter through the Trust’s Grievance Procedure.

# Definitions

|  |  |
| --- | --- |
| **Equality** | The term “equity” refers to fairness and justice and is distinguished from equality: Whereas equality means providing the same to all, equity means recognising that we do not all start from the same place and must acknowledge and make adjustments to imbalances.. |
| **Diversity** | Diversity is about recognising and valuing differences through inclusion, regardless of age, disability, gender, racial origin, religion, belief, sexual orientation, commitments outside of work, part-time or shift work, language, union activity, or lifestyle. |
| **Human Rights** | Human rights are the basic rights and freedoms that belong to every person in the world, from birth until death. They apply regardless of where you are from, what you believe or how you choose to live your life. These basic rights are based on shared values like dignity, fairness, equality, respect and independence. These values are defined and protected by law in the Human Rights Act 1998. |
| **Protected Characteristics** | Protected characteristics are the nine groups protected under the Equality Act 2010. They are:* age
* disability
* gender identity and gender reassignment
* marriage and civil partnership
* pregnancy and maternity
* race
* religion or belief
* sex
* sexual orientation
 |
| **Unlawful Discrimination** | It is unlawful discrimination when a person is treated less favourably (worse) than other people because they have a particular characteristic, such as their age, race, sex or disability.It is also discrimination when a person is disadvantaged compared to other people because they have a particular characteristic. |
| **Lawful Discrimination****Positive Action****Reasonable Adjustments** | Treating someone differently isn’t necessarily unlawful discrimination. It is permitted if it is necessary to properly allow for individual needs, as this is not 'less favourable' treatment.The Equality Act says there's a duty to make reasonable adjustments if you're placed at a substantial disadvantage, such as, because of your disability compared with non-disabled people or people who don't share your disability. Reasonable adjustments are changes that organisations and people providing services or public functions have to make for you if your disability puts you at a disadvantage compared with others who are not disabled. |
| **Identifying Discrimination** | Discrimination can occur either directly or indirectly and is unlawful on the grounds of age, disability, gender, gender re-assignment, pregnancy and maternity, marriage and civil partnership, race, religion and belief, and sexual orientation.Part-time workers have the right not to be treated less favourably than comparable full-time workers.Discrimination can be the result of prejudice, misconception, and stereotyping. |
| **Direct Discrimination** | This occurs when a person or group is treated less favourably than others are or would be, treated in the same or similar circumstances because of their protected characteristic.For example, refusing to employ someone because of their colour or race. Or, for example, when someone is treated differently because they are transsexual. |
| **Indirect Discrimination** | Broadly this happens where a provision, criteria or practice is imposed in employment, which cannot be justified and, therefore, adversely affects members of a particular group. Examples are: Providing a training course where full-time workers had priority of places before part-time workers, where the majority of part-time workers were female. If a policy on maternity/paternity leave did not apply to same sex couples. |
| **Perceptive Discrimination** | Where an individual is directly discriminated against or harassed based on a perception by others that they have a particular protected characteristic. Examples would be if Sam harasses Chris because they think Chris has AIDS, even though Chris does not, in fact, have the illness. Sam has made assumptions and discriminated against Chris, based on perception. Or if Chris harasses Sam because they think Sam is a trans man but they are not, Chris has made an assumption and discriminated against Sam based on perception. |
| **Associative Discrimination** | Where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic. An example would be not promoting a staff member because they care for a parent who had a stroke. This is discrimination against the staff member because of their association with a disabled person. |
| **Victimisation** | Victimisation occurs when a person is treated less favourably than others because they have alleged unlawful discrimination or supported someone to make a complaint or given evidence in relation to a complaint. Please refer to the Trust’s Dignity at Work Policy for more definitive descriptions of what can constitute harassment and bullying. |
| **Bullying** | Bullying differs from harassment and discrimination in that the focus is not often solely based on age, sex, race, disability, religion, sexual orientation, gender identity, or nationality. The focus is often also on competence, or rather the alleged lack of competence of the bullied person.Bullying is any persistent behaviour, directed against an individual, which is intimidating, offensive or malicious and which undermines the confidence and self-esteem of the recipient. Bullying or harassment may be by an individual against an individual (perhaps by someone in a position of authority such as a manager or supervisor) or involve groups of people. It may be obvious or insidious. Whatever form it takes it is unwarranted and unwelcome to the individual.Staff are requested to refer to the Trust’s Dignity at Work Policy for further guidance. |
| **Harassment** | Unwanted conduct relating to one of the protected characteristics that has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. It does not matter whether or not this effect was intended by the person responsible for the conduct. Employees can complain of behaviour that they find offensive even if it is not directed at them and the complainant does not need to possess any of the protected characteristics themselves.Harassment can also constitute indirect discrimination on grounds of race, sex, disability, sexual orientation, religion, gender identity or gender expression or belief. This behavior is unlawful and would not be tolerated by the Trust.Other examples of harassment can be as follows:Transphobic harassment - repeatedly refusing to use the desired pronoun of a trans person e.g., calling a trans woman 'he'.Homophobic bullying/harassment - stating to a gay woman that she just needs to find the right man to settle down with. |
| **Hate Crime** | Hate crimes are any crimes that are targeted at a person because of hostility or prejudice towards that person’s: disability, race or ethnicity, religion or belief, sexual orientation, or transgender identity. This can be committed against a person or property. A victim does not have to be a member of the group at which the hostility is targeted. In fact, anyone could be a victim of a hate crime. Hate crimes and hate incidents can hurt people and leave them feeling confused and frightened. By reporting hate crimes, a person may be able to prevent these incidents happening to somebody else. It will also help the police understand the extent of hate crime in your local area so they can better respond to it. |
|  |  |

# Stages of Employee Lifecycle

As an Equal Opportunity Employer, the Trust is committed to ensuring principles of equal opportunities for all its current employees and potential employees. It is our Policy that everyone will be treated with respect and dignity during all stages of the Employee Lifecycle, as per the below:



**13.1 Recruitment and Selection**

The Trust is committed to ensuring the recruitment, selection, and retention of appropriately qualified and experienced staff in the most efficient and effective way. Our recruitment practices will ensure that all employees are recruited, trained, and promoted on the basis of ability, qualification, aptitude, requirements of the job, and relevant criteria.

This is demonstrated in the Trust’s Recruitment and Selection Policy, which all staff are required to refer to for further information on how to operate fair, open and non-discriminatory recruitment, and selection procedures.

**13.2 Pay and Reward**

All conditions of service (including pay and reward) and job requirements will be applied fairly to all staff, regardless of protected characteristics.

The Trust will continue to develop positive flexible work arrangements, which allow staff to balance work responsibilities with other aspects of their lives, where the needs of delivering a service are not compromised.

The Trust aims to provide employees with access to leave arrangements, which support them in balancing their work responsibilities with their personal commitments.

**13.3 Learning and Development**

The Trust aims to ensure that all employees have access to opportunities to develop the skills and abilities they require to carry out their current and any likely future role in the Trust. Therefore, the Learning and Development Team will ensure that training and development processes and procedures are fair, followed consistently and will provide equality in the provision of learning and development ensuring that all staff have equal access to appropriate learning opportunities.

The Team will also ensure that matters relating to equality and diversity are considered in the provision of all learning and development activities as well as take positive steps to ensure that disadvantaged groups are supported through training and have equal opportunities for promotion and career development.

Managers must ensure that there is equal access to training and development for all employees and that there is no unlawful discrimination in appraisal schemes and funding of Continuing Professional Development opportunities.

**13.4 Progression**

Promotion must be based on a competitive selection process as above, and opportunities for promotion should be as widely publicised as possible and open to anyone with either the skills, or potential after training, to meet the requirements of the job description.

Secondment and Acting-up opportunities will be advertised internally and be subject to the Trust selection procedures.

**13.5 Performance and Planning**

The Trust is committed to the achievement of the full potential of individuals through the contribution of their talent and experience.

Annual appraisals and any performance management processes must be completed fairly, consistently, and on the basis of staff performance results only. None of protected characteristics should determine actions relating to performance management and succession planning; and any reasonable/workplace adjustments need to be put in place to allow staff to perform to their best ability and full potential.

**13.6 Engagement and Retention**

The Trust will make every effort to ensure that, where an employee becomes disabled or personal circumstances change, the employee remains in employment. Options to consider in conjunction with the employee include job sharing, part-time working, redeployment, or flexible hours of work, retraining leading to redeployment, special aid or assistance.

Any equality issues raised by employees, particularly if they involve possible direct or indirect discrimination must be acted upon by managers in accordance with the relevant Trust policy.

**13.7 Transformation**

Care will be taken during all change programmes to ensure that decisions are based on sound organisational reasons and do not breach equality legislation.

An Equality Impact Assessment must be completed during all change management programmes to ensure these are undertaken fairly.

The Trust will ensure equality of opportunity for all staff who will have the same access to opportunities and vacant posts available during a change process.

**13.8 Transition**

The selection criteria for any redundancy exercises must not discriminate unlawfully and all termination of employment must be handled in a fair and consistent manner.

The Trust is committed to anaylsing its Exit Interviews data in order to improve staff experience and understand what can be done differently in order to retain high-performing workforce.

# Advice and Support

Staff who want to provide feedback, raise concerns, or discuss any aspects of equality, diversity, or human rights in the Trust can contact:

* Bullying and Harassment Advisors
* HR Department
* Freedom to Speak up Guardian
* Staff Network Leads or Sponsors
* Equality and Diversity Lead
* Staff Side Representatives
* Employee Assistance Programme
* Public Concern at Work

The below external resources may also be useful when seeking further advice and support:

|  |  |
| --- | --- |
| ACAS Advisory booklet – Delivering Equality & Diversity | Website: <http://www.acas.org.uk/media/pdf/t/l/Delivering-equality-and-diversity-advisory-booklet.pdf> |
| Access to Work | Get help at work if you’re disabled or have a health condition.Website:<https://www.gov.uk/access-to-work>  |
| Agenda for Change Terms & Conditions  | Website: [www.nhsemployers.org/tchandbook](http://www.nhsemployers.org/tchandbook)  |
| Age UK | Age UK has provides advice and information to older people via:Telephone: 0800 169 2081 Website: [www.ageuk.org.uk](http://www.ageuk.org.uk)  |
| British Disability Forum (BDF) | The BDF is a business membership organisation leading in disability inclusion. They work in partnership with business, Government, and disabled people to remove barriers to inclusion.Telephone: 020 7403 3020Website: [www.businessdisabilityforum.org.uk](http://www.businessdisabilityforum.org.uk) |
| Disability Law Service | Disability Law Service provides specialist legal advice for disabled people, their families and carers on community care and disability discrimination.Telephone: 020 7791 9800Website: <http://dls.org.uk/>  |
| Equality Act 2010  | Website: <https://www.gov.uk/guidance/equality-act-2010-guidance> |
| Equality and Human Rights Commission  | Equality body who helps make Britain fairer. They do this by safeguarding and enforcing the laws that protect people’s rights to fairness, dignity and respect.Website: [www.equalityhumanrights.com](http://www.equalityhumanrights.com) |
| Hate Crime:* True Vision – stop hate crime
* Hate crime third party reporting centres:
* CST – protecting our Jewish community
* Tell MAMA – anti-Muslim hate crime
* Galop (LGBT)
 | Website: [www.report-it.org.uk](http://www.report-it.org.uk) [www.cst.org.uk](http://www.cst.org.uk) [www.tellmamauk.org](http://www.tellmamauk.org) [www.galop.org.uk](http://www.galop.org.uk)  |
| Health & Care Women Leaders Network | Free network for women working across health and care. The network connects through events, masterclasses and tweet chats, and share learning through podcasts, blogs, videos and key reports.Website: <https://www.nhsemployers.org/campaigns/health-and-care-women-leaders-network>  |
| NHS England - NHS Equality and Diversity Council | The Equality and Diversity Council (EDC) works to bring people and organisations together to realise a vision for a personal, fair and diverse health and care system, where everyone counts and the values of the NHS Constitution are brought to life.Website: <https://www.england.nhs.uk/about/equality/equality-hub/edc/> |
| NHS England – Equality section | Website: [www.england.nhs.uk/about/equality](http://www.england.nhs.uk/about/equality)  |
| Scope | The Scope helpline provides free, independent and impartial information and support on issues that matter to disabled people and their families. Telephone: 0808 800 3333Website:[www.scope.org.uk/about-us/contact-us/helpline](http://www.scope.org.uk/about-us/contact-us/helpline) Scope can also signpost you to advice line services available throughout Great Britain. For more information go to: Website: [www.scope.org.uk/support/disabled-people/local/about](http://www.scope.org.uk/support/disabled-people/local/about) |
| Stonewall – acceptance without exception  | Website: [www.stonewall.org.uk](http://www.stonewall.org.uk)  |
| The NHS Equality & Diversity Council  | Website: [www.england.nhs.uk/ouwork/gov/equality-hub/edc](http://www.england.nhs.uk/ouwork/gov/equality-hub/edc) |