



**GP TOWER HAMLETS CARE GROUP CIC POLICY :
HUMAN RIGHTS, EQUALITY AND DIVERSITY POLICY**

APPROVING COMMITTEE(S)	Tower Hamlets Care Group CIC Policies Committee – Chair’s Action	Date approved:
EFFECTIVE FROM	Date of approval	
AUTHOR/FURTHER INFORMATION		
EXTERNAL REFERENCES		Refer to:
REVIEW DUE	Three years from the date of approval shown or earlier subject to legislative changes or organisational need.	

CONSULTATION	

SCOPE OF APPLICATION and EXEMPTIONS
All Tower Hamlets Care Group staff, working in whatever capacity
Other staff, students and contractors working within the Tower Hamlets Care Group
Staff employed or contracted within Tower Hamlets Care Group Premises by Partner Organisations
<i>For the groups listed, compliance with this policy is a contractual requirement and failure to follow the policy may result in investigation and management action which may include formal action in line with the Tower Hamlets Care Group’s disciplinary or capability procedures for Tower Hamlets Care Group employees, and other action in relation to organisations contracted to the Tower Hamlets Care Group, which may result in the termination of a contract, assignment, placement, secondment or honorary arrangement.</i>
No staff groups working within the Tower Hamlets Care Group are exempt from this policy.



OUR MISSION, VISION AND VALUES

Our Mission

- Tower Hamlets GP Care Group is led by local GPs and aims to provide innovative high quality, responsive and accessible health services.

Our Vision

- Practices will work collaboratively to offer equitable, people-centred and holistic services to our patients.
- We will work creatively with other providers of care to ensure care is integrated and seamless, maximising the potential for excellent outcomes for patients.
- We are committed to high quality care, compassion, improving lives and making sure everyone feels included and ensuring all local people have access to our services; especially the most vulnerable people in our community.
- We fully commit to promoting and upholding the values of the NHS Constitution in all that we do.
- To ensure patients are treated with respect.
- We will be a local health employer of choice offering excellent employment opportunities and support and development of our workforce.
- We will be a strong unified voice of general practice in Tower Hamlets.

Our values

- We will work together to put patients at the heart of their care
- To deliver high quality care that achieves the best outcomes for patients
- Innovate especially in the delivery of patient care
- Focus our work to help reduce inequalities
- Take a holistic view of patient care and involve the expertise of the whole multidisciplinary team as appropriate to help deliver the best outcomes for patients
- Deliver services that are free at the point of delivery
- We will be financially stable, managing funds carefully and reinvesting any money we may generate to maintain and improve services for the benefit of local people
- Promote healthy lifestyles and self-care
- Take an evidence based public health approach
- Develop and value our staff
- Keep the Tower Hamlets GP Care Group in the NHS and never compromise quality over profit
- Regularly consult patients and stakeholders about what we do
- To be an open and transparent organisation with a no blame culture



HUMAN RIGHTS, EQUALITY AND DIVERSITY POLICY AND PROCEDURES

1 INTRODUCTION AND AIM OF THE POLICY

- 1.1 This Policy sets out Tower Hamlets Care Groups commitment to tackle discrimination, promote human rights, equality and diversity for both staff and service users in all areas of employment practice and service delivery.

Ensuring the dignity of, and maintaining respect for patients and staff is a core principle of Tower Hamlets Care Group CIC. As an employer and healthcare provider with a diverse workforce and patient population, the Care Group recognises that promoting human rights, equality and diversity whilst tackling inequality, discrimination and harassment are central to the achievement of our vision and values.

- 1.2 The Policy outlines rights and responsibilities of the Care Group (as an employer and service provider), staff (as employees) and patients (as users of services) to ensure the development and enhancement of a culture of inclusion in the organisation where dignity, respect, fairness and equality for all based upon the protected characteristics defined by the Equality Act 2010 and other status covered by the Human Rights Act 1998 is promoted.

It is the aim of the Care Group to ensure that there is no unlawful or undesirable discrimination, whether direct, indirect or by way of victimisation, against its service users, carers, visitors, existing employees or those wishing to seek employment with the Care Group. The purpose of this policy is to set out the steps that the Care Group will take to achieve this.

This policy seeks to ensure that all decisions are fair and based on valid and relevant criteria and not based on prejudice or bias. The policy also sets out the steps for individuals to raise concerns, if they feel that they have not been treated fairly.

Definitions

- 1.3 The following definitions are used in this policy

Bullying	Is offensive, intimidating, malicious or insulting behavior, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. It can also be described as the unwanted behavior, one to another, which is based upon the unwarranted use of authority or power.
Discrimination	Direct Discrimination is where a person or a group of people are treated

(Discrimination can be Direct or Indirect)	less favorably than another on the grounds of their protected characteristic. Indirect Discrimination is when conditions or requirements are set out that exclude or disadvantage people of a particular protected characteristic unless it can be justified as a means of achieving a legitimate aim.
Equality Act 2010	Replaces previous discrimination law (e.g. Disability Discrimination Act 1995) and includes the following: <ul style="list-style-type: none"> • Extends the groups protected (protected characteristics) • Removal of health questionnaires • Bans discrimination by association • Bans direct and indirect discrimination • Bans harassment, victimisation and failure to make reasonable adjustments • Replaces all previous discrimination law • Introduces harassment by third parties Also relates to provision of services to patients, not just employment
Equality Analysis	Equality Analysis is the process of systematically analysing a policy or service function to identify what effect or likely effect will follow from the implementation and/or operation of the policy or service function on the people from the different protected characteristic.
Harassment	<p>Unwanted conduct related to any of the 9 protected characteristics (see below) or other characteristic such as political belief, trade union membership or other belief, social origin, association with a minority, domestic circumstances, property, birth or other status, 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.</p> <p>The key is that the actions or comments are reasonably viewed as demeaning, hostile and unacceptable to the recipient. The conduct is unreciprocated or unwanted and affects the dignity of employees at work. Note that an employee can claim harassment even if the harassment was not actually directed at them, e.g. where an employee overhears a colleague being verbally harassed by another colleague and they feel that it violates their own dignity.</p>
Monitoring	Equality Monitoring is the process by which we ask for and gather personal information from our patients, service users and staff.
Protected Characteristics (part of the Equality Act 2010)	<ul style="list-style-type: none"> • Age • Disability • Gender Reassignment • Marriage and Civil Partnership

	<ul style="list-style-type: none"> • Race • Religion or Belief • Sex • Sexual Orientation <p>(Pregnancy and Maternity – only some elements apply)</p>
Reasonable Adjustments (part of the Equality Act 2010)	<p>An ‘adjustment’ is a change. This can be a physical change or a change in the way something is done. ‘Reasonable’ will depend on a number of circumstances but the tests include:</p> <ul style="list-style-type: none"> • How much will a reasonable adjustment reduce the disadvantage? • The practicality of the change. • The financial (and other costs) and the extent of any disruption caused. • The extent of the Care Group’s financial & other resources. <p>Although the Care Group must consider reasonable adjustments for employees who have a disability or are pregnant, it is best practice for them to be considered for all employees to facilitate attendance and implemented where service delivery allows.</p>
Victimisation	<p>Victimisation is when an individual is treated less favourably because they have complained about discrimination or have supported someone else to make a complaint.</p>

2 POLICY STATEMENT

Tower Hamlets Care Group is committed to the principles of human rights and equality of opportunity for all in employment and service delivery. We take pride in our increasingly diverse community. The Care Group is committed to ensuring the delivery of positive outcomes for and no disproportionate impact on any of the protected characteristic groups as defined by the Equality Act 2010.

This statement also outlines our commitment and sets out our intention to create a service that meets the needs of all irrespective of their protected characteristic. A service that delivers better outcomes for patients, communities and better working environments for staff, which are personal, fair and diverse.

Our vision is for Tower Hamlets Care Group to become a leader in the field of promoting equality, valuing diversity and tackling Health Inequality whilst building strong and sustainable partnerships.

Our commitment is supported by a legal duty to provide all services and employment opportunities fairly, without unlawful discrimination. We are committed to providing high



quality services that everyone can access. Where appropriate we will work with our partners to provide services which promote equal opportunities to all by:

- Building on good practice
- Consulting with and involving our service users and staff
- Providing avenues for people to provide feedback on our services
- Delivering services which are relevant to the needs of the communities
- Removing barriers which deny people access to employment or to our services
- Using our powers to make sure that organisations providing services on our behalf work in line with this statement
- Take steps to tackle Health Inequality in the area

With the help of feedback from our service users, employees and community groups, we will continue to develop arrangements to monitor, review and evaluate the effectiveness of our employment and service delivery policies.

2.2 Scope of the policy

This policy covers all aspects of human rights, equality and diversity in employment and service delivery.

- This policy applies to all Care Group employees.
- The policy applies to service users, their families and their carers, throughout their relationship with the Care Group.
- This policy applies to volunteer staff on all sites and contractors
- This policy applies to all areas of the Care Group's operations in particular the following: application of all Care Group Policies and procedures, managing performance, managing health issues and attitudes and practices among all employees.
- This is not an exhaustive list as the policy applies to anyone that has dealings with the Care Group.

2.3 General principles

All new policies, strategies and service restructuring will undergo an equality analysis to ensure that no protected characteristic group is impacted negatively and if so, monitored to ensure adequate mitigation against adverse impact.

All staff will receive equality, diversity and human rights training through induction and mandatory refresher training.

Service users, including patients and staff will be involved in the development of new policies, services and the monitoring of progress to achieve actions plans.



Care Group employees will receive equitable treatment in all relevant aspects of the employment relationship including: Job Descriptions, Recruitment and Selection, Terms and Conditions, Induction, Maternity and Paternity provision, Secondment/Acting Up, Appraisal, Training & Development, Flexible Working, Annual Leave, Special Leave, Promotion, Sickness Absence, Retirement, Discipline, Grievance, Redundancy and Pension Provision.

Breaches of this policy will be regarded as misconduct and could lead to disciplinary proceedings.

3 DUTIES AND RESPONSIBILITIES

<p>Care Group</p>	<ul style="list-style-type: none"> • Tower Hamlets Care Group has a moral and legal responsibility for promoting human rights, equality, valuing diversity and tackling discrimination. • Ensuring that adequate resources are allocated in order to achieve the aims of this policy. • Ultimate responsibility lies with the Care Group’s Chief Executive devolved to the Director of Human Resources, with the day to day responsibility • The Director of Human Resources is responsible for the effective operation of this policy and for providing advice and assistance on its implementation with the support of both the Human Resources Team and the Inclusion Team. • The Care Group will guide and oversee the Care Group’s approach to equalities, diversity and human rights and the effective implementation of the Care Group’s Human Rights, Equality and Diversity policy. • The Care Group will ensure quality of access and provision of services which meets the needs of its service users. • As a provider of Health care in a diverse community, Tower Hamlets Care Group will seek to work in partnership with a diverse group of stakeholders in order to achieve better health outcomes for all irrespective of their protected characteristic.
<p>Employees</p>	<p>Compliance with and promotion of equal opportunities, together with a clear understanding of what this means, is the responsibility of each and every employee of the Care Group.</p>

	<p>All employees are responsible for the following:</p> <ul style="list-style-type: none"> • If appropriate and if able to, to challenge the unwanted behaviour at the first instance • Line Manager, HR or the Inclusion lead is informed if they suspect or are aware that discrimination of any kind is taking place. • Treating all individuals with respect and dignity • Not victimising or attempting to victimise individuals on the grounds that they have made complaints or provided information on discriminatory practice. • Not harassing, bullying or intimidating other employees, including their peers, subordinates or seniors. This includes homophobic, racial or sexual harassment.
<p>Managers</p>	<p>Managers are responsible for ensuring that:</p> <ul style="list-style-type: none"> • all employees are aware of this policy and their responsibilities within it • this policy is implemented in all areas of employment including: <ul style="list-style-type: none"> a) recruiting and selecting staff utilising positive action when necessary and adhering to the limitations upon pre-employment health questions as outlined by the Equality Act 2010. b) Undertaking an equality analysis of all change programmes prior to implementation to measure impacts, benefits and mitigate against negative disproportionate impacts found. c) making transparent, fair and equitable decisions on promotion, pay rise or incremental pay increases and staff development. d) applying Care Group policies and procedures with an understanding of the application of human rights, equality and diversity in this context. e) Allocating training and benefits using positive action when necessary to target training for underrepresented groups of



	<p>staff in line with the protected characteristics and fair practices in employment.</p> <p>f) Conducting fair and transparent appraisals.</p> <p>g) Dealing fairly and transparently with requests for flexible working.</p> <p>h) Ensure staff involvement and implementation of staff consultation exercises making reasonable adjustments when necessary.</p> <p>i) Making fair and equitable selection for transfer, redundancy and retirement.</p> <p>j) Dealing assertively with harassment, bullying and victimisation – ensuring appropriate responses to the types of harassment and bullying behaviour which occurs in reference to each respective protected characteristic e.g. an appropriate response to homophobic bullying or harassment may differ from the response required for sexist bullying or harassment.</p> <p>k) Dealing assertively with reported incidents of harassment, bullying or discrimination by patients, service users or their relatives towards a member of staff – ensuring that staff are supported and the matter is dealt with fairly and transparently.</p> <ul style="list-style-type: none"> • complaints made under this policy are dealt with in a fair and consistent manner • contractors working within the Care Group adhere to the principles of this Policy • they demonstrate the elimination of discrimination and promotion of equality, diversity human rights within their service area and in service delivery to patients and their families.
<p>Contractors</p>	<ul style="list-style-type: none"> • All contractors working within the Trust must adhere to the principles of this Policy

4 MONITORING THE EFFECTIVENESS OF THIS POLICY

The success of the policy depends upon the degree of commitment of all employees. Therefore, the Care Group will monitor its equality and diversity policy as a means of measuring its success, impact and progress.



The monitoring process will allow both quantitative and qualitative analysis of the Care Group's employment practices and service delivery on a regular basis.

For employment practices, the analysis will include:

- Analysis of employees within each directorate by post, indicating race, disability, sex, age, and sexual orientation.
- Data concerning the employment of disabled people
- Recording and monitoring of all aspects of the employment process by race, disability, sex, age, and sexual orientation, including training and development.
- Recording numbers of reported incidents of bullying and harassment by race, sex, age, sexual orientation, disability and religion/belief.
- Utilising the Care Group's staff survey results to action plan Identifying groups of employees who are over or under represented in certain jobs or pay grades; amongst applicants and those selected; and exits from the Care Group. The Care Group will assess the reasons for this and where appropriate, make use of current legislation to take positive action.
- The results of this monitoring will be published on an annual basis and will be analysed to facilitate the investigation of any of the processes that have resulted in any identified differences and to allow action to be taken to remove barriers or failings and promote equal opportunities.

For service delivery, the analysis will include:

- Collection and analysis of relevant patient data against indicators and targets set by the requirements of the Equality Act 2010
- Tower Hamlets Care Group Patient Satisfaction survey results
- Patient Experience feedback and Complaints
- Feedback from the consultation and engagement with representative community groups

To facilitate this process the Care Group will maintain records of race, disability, sex, age, and sexual orientation of all employees and job applicants. Such records will be used solely for the purpose of monitoring equal opportunities and the provisions of the Data Protection Act will protect confidentiality. Monitoring statistics will be produced at least twice yearly.

Should the monitoring process identify groups of employees who are over or under represented in certain jobs or departments or among applicants, the Care Group will assess the reasons for this and, where appropriate, make use of current legislation to take positive action.



Feedback on the effectiveness of this policy and its implementation will be made to the Care Group’s Board with an annual report made available to staff, staff side and the wider public on the internet, through the Care Group’s Equality Information Report. The Policy will be reviewed every three years or sooner subject to any legislative or operational requirements.

Issue being monitored	Monitoring method	Responsibility	Frequency	Reviewed and followed up by
Compliance with duties required within The Equality Act 2010	Annual publication of Care Group’s Equality Information	Directors of Human Resources	Annual	Director of Human Resources
Patient Experience	Equality Analysis of Care Groups Patient Satisfaction Survey results.	Clinical Lead	Annual	Clinical Lead
Staff Experience	Employee Equality Information recorded on Electronic Staff Record. Equality Analysis of Care Group Staff Survey results.	Director of Human Resources	Annual	Director of Human Resources

5 IMPLEMENTATION OF POLICY

5.1 Employment Procedures and Practices

- **Recruitment and selection**

We want to create a working environment in which all people, including those with a disability, are able to give of their best and there is no bullying, harassment or discrimination. To this end, the Care Group is committed to requiring all staff whose role includes recruitment and selection of staff to undertake specific human rights, equality and diversity training. We are also proactively committed to recruiting people from the local community as part of efforts to address Health inequalities in the area.

- **Data monitoring**

To ensure that this policy operates effectively (and for no other purpose) the Care Group will maintain a record of employees ‘and applicants’ sex, age, ethnicity, disability, religion or belief, marriage & civil partnership status, pregnancy and maternity status and sexual orientation.



Ongoing monitoring and regular analysis of such records provide the basis for appropriate action to eliminate unlawful direct and indirect discrimination and promote human rights, equality and diversity.

- **Positive Action**

The result of the monitoring will be analysed and where there is evidence of underrepresentation, the Care Group will produce an action plan. This may include strategies such as target advertising or management development programmes designed to meet specific needs. The Equality Act 2010 allows measures to be taken to encourage members of under-represented communities to take advantage of employment and or training and development opportunities. For example, where following a full and objective assessment of two candidates, they are found to be of equal merit, provisions allow for the appointment of the candidate from an under represented group. Positive Action is lawful and should not be confused with positive discrimination, which is unlawful.

- **Cultural and Religious Needs**

The Care Group will accommodate cultural and religious needs of employees wherever they are compatible with the safe and efficient running of the service.

- **Genuine Occupational Requirements (GOR)**

It is **ONLY** lawful to discriminate in recruitment in favour of certain protected characteristics in defined situations. Where the nature of employment means that being of a particular sex, having a particular racial, ethnic or national origin, or being disabled is a genuine and determining occupational requirement - it is lawful to discriminate in these circumstances. Evidence must be provided in all cases where such an occupational requirement is deemed to be applicable and this must be clearly stated in all recruitment activity.

- **Development and Training**

Every new member of staff will undergo an Induction programme which includes training in Human Rights, Equality and Diversity and will be required to undertake refresher training on this every three years. Training and guidance will be available to employees dealing with patients and those with responsibilities for managing staff.

- **Disability**

If a member of staff has a disability or a long-term health condition that places them at a disadvantage then 'Reasonable adjustments' can be made.

5.2 Service Delivery

- The Care Group will ensure that its services are non-discriminatory, accessible and the provision of these services meets the requirements of the Equality Act 2010. The Care Group will ensure that there is a specific, focussed drive and a rigorous approach to



mainstreaming the principles of Human Rights, Equality and Diversity across all work streams.

- The Care Group will ensure that priorities are influenced and set by the health needs of all protected characteristic groups and health inequalities gaps are narrowed. Positive Action measures may be used to target services at particular communities where there is low usage of service compared to disease profile for those particular Communities.
- The Care Group will ensure that improved patient experiences are reported by all protected characteristic groups.
- The Care Group will actively involve and engage with the community ensuring that all protected characteristic groups have the opportunity to influence and shape services

END

Extra sources of information and support

Employee Assistance Programme <i>provided by CiC</i>	A free service to all employees provided 24 hours 7 days a week which includes advice on debt, legal issues, caring and childcare and offers face to face counselling services. Tel. 0800 085 1376 ; 020 7938 0963 Or access via www.well-online.co.uk
ACAS	The Acas Helpline is the place to go for both employers and employees who are involved in an employment dispute or are seeking information on employment rights and rules. The Helpline provides clear, confidential, independent and impartial advice to assist the caller in resolving issues in the workplace. ACAS also provides information on rights and responsibilities under the Equality Act 2010 Call the Helpline on 08457 47 47 47. Monday to Friday, 8am-8pm and Saturday, 9am-1pm Or access via: www.acas.org.uk
Stonewall's	Stonewall runs a free info service for anyone looking for details about



<p>Information Service</p>	<p>gay rights, including:</p> <ul style="list-style-type: none"> • Civil partnerships • Employment • Hate crime • Bullying • Parenting • Discrimination <p>Stonewall can't give legal advice or help you to pursue a case or complaint, but trained volunteers and staff aim to put you in touch with the people that can. Stonewall can point people towards local lesbian, gay and bisexual support groups and services.</p> <p>Call the Helpline on: 08000 50 20 20 Monday to Friday, 9.30am to 5.30pm Or access via: www.stonewall.org.uk</p>
<p>Equality information, advice and support helpline</p>	<p>The helpline launched in October 2012 provides information, advice and support on discrimination by the new Equality Advisory and Support Service (EASS), commissioned by Government Equality Office.</p> <p>Call the Helpline on: 0800 444205 Textphone number: 0800 444206 Monday to Friday 9am - 8pm and Saturday 10am - 2pm Or access via: www.equalityadvisoryservice.com</p>