# Equality and Diversity Policy

<table>
<thead>
<tr>
<th>Version</th>
<th>2.0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ratified By</td>
<td>NHS West Cheshire Clinical Commissioning Group</td>
</tr>
<tr>
<td>Date Ratified</td>
<td>May 2016</td>
</tr>
<tr>
<td>Author(s)</td>
<td>Karen Warren, Organisational Development Manager, NHS West Cheshire Clinical Commissioning Group</td>
</tr>
<tr>
<td>Responsible Committee / Officers</td>
<td>NHS West Cheshire Clinical Commissioning Group Governing Body</td>
</tr>
<tr>
<td>Date Issue</td>
<td>September 2013</td>
</tr>
<tr>
<td>Review date</td>
<td>May 2017</td>
</tr>
<tr>
<td>Intended Audience</td>
<td>Stakeholders of NHS West Cheshire Clinical Commissioning Group NHS West Cheshire Clinical Commissioning Group members, governing body and employees For publication on our web site</td>
</tr>
<tr>
<td>Impact Assessed</td>
<td>September 2013</td>
</tr>
</tbody>
</table>
Further information about this document:

<table>
<thead>
<tr>
<th>Document name</th>
<th>Equality and Diversity Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category of Document in The Policy Schedule</td>
<td>Corporate</td>
</tr>
<tr>
<td>Author(s)</td>
<td>Karen Warren</td>
</tr>
<tr>
<td>Contact(s) for further information about this document</td>
<td>Organisational Development Manager, NHS West Cheshire Clinical Commissioning Group</td>
</tr>
</tbody>
</table>

This document will be read in conjunction with

Published by

NHS West Cheshire Clinical Commissioning Group 1829 Building Countess of Chester Health Park Liverpool Road Chester, CH2 1HJ

Copies of this document are available from

Website: www.westcheshireccg.nhs.uk

Copyright © NHS West Cheshire Clinical Commissioning Group 2016. All Rights Reserved

Version Control:

**Version History:**

<table>
<thead>
<tr>
<th>Version Number</th>
<th>Reviewing Committee / Officer</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0</td>
<td>NHS West Cheshire Clinical Commissioning Group</td>
<td>January 2014</td>
</tr>
<tr>
<td>2.0</td>
<td>NHS West Cheshire Clinical Commissioning Group</td>
<td>May 2016</td>
</tr>
</tbody>
</table>

Equality and Diversity Policy

NHS West Cheshire Clinical Commissioning Group

May 2016
This document can be made available in a range of alternative formats including various languages, large print, Braille and audio cassette. To discuss your requirements please ring 01244 650368

Nëse keni pyetje ose komente në lidhje me këtë informacion ose dëshironi t’a keni atë të përkthyer në gjuhën tuaj, ju lutemi telefononi në 01244 650368. Ju lutemi thoni emrin e gjuhës tuaj tre herë, së bashku me numrin tuaj telefonik. Ne do të marrim masa që një përkthyes përmes telefonit t’ju telefonojë juve.

Албанский

إن كان لديك أي أسئلة أو ملاحظات حول هذه المعلومات أو إذا أردت ترجمة لها في لغتك الخاصة، برجي الاتصال بالرقم 01244 650368. نرجو أن تعلم اسم لغتك ثلاثة مرات سوية مع رقم هاتفك. سوف نقوم بعد ذلك بالطلب من مترجم لفهم الاتصال بك.

اللغة العربية

اللغة البنغالية

اللغة القانتونية

اللغة الغجراتية
Equality and Diversity Policy
NHS West Cheshire Clinical Commissioning Group
May 2016
1.0 Introduction

The clinical commissioning group is committed to equality of opportunity for all employees and employment practices, policies and procedures which ensure that no employee, or potential employee, receives less favourable treatment on the grounds of gender, race, colour, ethnic or national origin, sexual orientation, marital status, religion or belief, age, trade union membership, disability, offending background, domestic circumstances, social and employment status, HIV status, gender reassignment, political affiliation or any other personal characteristic as outlined in the Equality Act (2010) and any other status defined by the Human Rights Act (1998). Diversity will be viewed positively and, in recognising that everyone is different, the unique contribution that each individual’s experience, knowledge and skills can make is valued equally.

The promotion of equality and diversity will be actively pursued through policies to ensure employees receive fair, equitable and consistent treatment and to ensure all employees and potential employees are not subject to direct or indirect discrimination.

It is a condition of employment of the clinical commissioning group that all employees respect and act in accordance with the Equality and Diversity policy. Failure to do so will result in the disciplinary procedure being instigated, which could result in dismissal.

2.0 Scope

This policy applies to all staff employed by the clinical commissioning group, contractors, partners and service users.

3.0 Policy Statement

The clinical commissioning group will promote, through the provision of training and guidance, the impartial application of all employment policies and procedures and will take action to deal with all inappropriate behaviour. Training in relation to equality and diversity is provided to all staff and appropriate additional training events will be provided for all employees involved in selection for recruitment or training. The responsibilities of the employer and employee for equality and diversity will be positively incorporated into employee training at all levels, to include induction courses, statutory and mandatory training and senior management workshops.

4.0 Responsibilities

4.1 The Clinical Commissioning Group

The clinical commissioning group will adopt appropriate strategies to support and value equality and diversity within the organisation. For example, in 2015 the clinical commissioning group introduced and implemented value based recruitment. In 2016 further training will be completed to ensure all members of the clinical commissioning group can undertake value based recruitment and further applications of this approach will be explored.
4.2 Human Resources

Human Resources will have responsibility for monitoring the operation and implementation of the Equality and Diversity policy and for ensuring monitoring records are maintained. HR services are delivered on behalf of the clinical commissioning group by Cheshire and Merseyside Commissioning Support Unit.

4.3 Management

Managers are required to exercise leadership in respect of Equality and Diversity by not tolerating prejudice and by modelling appropriate behaviour. The policy must be clearly communicated to all employees by their Line Managers, along with sources of available support. Appropriate action must be taken to deal with any breaches of the policy or behaviour that could lead to a breach of the policy.

Any identified breaches of the Equality and Diversity policy should be dealt with using the Disciplinary, Grievance or Harassment and Bullying policies.

Managers are responsible for applying employment practices, policies and procedures fairly and consistently and highlighting and addressing practices which could lead to discrimination.

4.4 The Employee

All employees are responsible for familiarising themselves with the Equality and Diversity policy and complying with it. Employees should inform their Manager if they know or suspect that discrimination or harassment is occurring.

Any individual who believes that an act in breach of this policy has taken place should raise the issue as soon as possible with the individual concerned, their Line Manager, a member of the Senior Team or a member of the Human Resources Team as appropriate.

If a complaint is issued against an individual’s Line Manager the individual should raise the issue as soon as possible with their Senior Manager or with a member of the Human Resources team.

5.0 Definitions

5.1 Direct Discrimination

Direct discrimination occurs when an individual is treated less favourably because of a personal characteristic as outlined in the Equality Act (2010) or another status defined by the Human Rights Act (1998). An example of direct discrimination would be dismissing a female employee because she is pregnant.

5.2 Indirect Discrimination

Indirect discrimination occurs when an unjustifiable condition or requirement is applied which has a discriminatory effect, as the number of people who can comply with the condition or requirement is smaller among a particular group. An example of indirect discrimination would be only sending full-time employees on training courses (as more female employees than male are likely to be part-time).
5.3 Discrimination by Association

Discrimination by association occurs when an individual is treated differently because they associate with someone because of their gender, race, colour, ethnic or national origin, sexual orientation, marital status, religion or belief, age, trade union membership, disability, offending background or any other personal characteristic as outlined in the Equality Act (2010) and other status covered by the Human Rights Act (1998). An example of this would be not offering an individual a job because they have carers’ responsibilities for someone who has a disability.

5.4 Discrimination by Perception

Discrimination by perception occurs when an individual is treated differently because they are perceived to possess a protected characteristic as outlined in the Equality Act (2010) or another status defined by the Human Rights Act (1998). An example of this would be not promoting an individual because she is thought to be pregnant, regardless of whether she is or not.

5.5 Harassment and Bullying

Detailed information, including definitions, regarding harassment and bullying can be found in the clinical commissioning group Harassment and Bullying Policy.

5.6 Protected Characteristic

The Equality Act (2010) makes it unlawful to discriminate against people with a ‘protected characteristic’ (previously known as equality strands / grounds). The protected characteristics outlined in the Act are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex and sexual orientation.

6.0 Equality

In applying this policy, the clinical commissioning group has due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

Our Equality and Diversity performance will be measured through our application of the Equality Delivery System for the NHS, EDS2.
7.0 Monitoring and Review

The Human Resources Department will maintain records of gender, ethnic origin, age and disability for all employees and for internal and external job applicants via NHS Jobs and the ESR (Electronic Staff Record) system. This information will be collected and stored in line with the Data Protection Act 1998 and will only be used to monitor compliance to the Equality and Diversity policy. The information will be analysed regularly by Human Resources to ensure the clinical commissioning group is compliant with the requirements of the Equality Act (2010). Furthermore a Equality and Workforce plan will be implemented and monitored via the Human Resource Committee and our Equality related performance will be assessed during our annual NHS Equality Delivery System Toolkit (Goal 3). Both these documents can be viewed in the West Cheshire E&D Annual Report 2015/16

Equality impact assessments will take place at a frequency to be determined by NHS West Cheshire clinical commissioning group.

The policy will be reviewed periodically by the Human Resources team and trade unions giving due consideration to legislative changes.