



For better
mental health

Hunts Mind

EQUALITY AND DIVERSITY Policy

1. Introduction

- 1.1 Hunts Mind strives for high standards both as an employer and as a provider of services. In so doing, we recognise the need for encouraging diversity and wholeheartedly support a policy of equal opportunities in all areas of our work and responsibilities.
- 1.2 This Policy provides guidance to enable all who work with or for Hunts Mind to comply with anti-discrimination legislation. The policy will also address anti-discrimination issues involving areas that currently fall outside any legislation.
- 1.3 Failure to follow the procedures in the policy may lead to disciplinary or other appropriate action.
- 1.4 Hunts Mind's aims and objectives will be achieved through action planning, effective monitoring and a willingness to tackle problems where they arise. Hunts Mind is committed to reviewing this policy on an annual basis, or as legislation changes. Through our training, publications, interaction with members and other activities, Hunts Mind will ensure those we work with know our statements of policy.
- 1.5 Hunts Mind will regularly review the implementation of its Equality and Diversity Policy and strategy. Where evidence is found of ineffectiveness, immediate remedial action will be taken to ensure implementation.

2. Definitions

- 2.1 **Equal Opportunities** ensure that policies, procedures and practice within Hunts Mind do not discriminate against the people within it. It is about treating people fairly and equally regardless of who they are, their background or their lifestyle.
- 2.2 **Diversity** ensures that all people are valued as individuals and are able to maximise their potential and contribution to Hunts Mind and to the community. It recognises that people from different backgrounds can bring fresh ideas and a different approach, which can make the way we work and learn more fun, more creative, more efficient and more innovative.

- 2.3 **Direct Discrimination** occurs when an individual is dealt with less favourably on the grounds of race, colour, nationality, ethnic or national origin or sex. Also because of, for example, marital status or caring responsibility; sexual orientation; age; physical, sensory or learning disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities.
- 2.4 **Indirect Discrimination** occurs when a requirement or condition, which although it applies equally to persons of all groups, is such that only a considerably smaller proportion of a particular group can comply with it. **Examples:** a rule about clothing that disproportionately disadvantages a racial group cannot be justified; requiring applicants to have British qualifications.
- 2.5 **Victimisation** occurs when an individual is treated less favourably because that person has asserted rights under the Sex Discrimination Act, the Race Relations Act or the Disability Discrimination Act or acted as a whistleblower on such activity. People must be able to act against unlawful discrimination without fear of reprisals.
- 2.6 **Harassment** means repeated, unreciprocated and unwelcome comments, looks, actions, suggestions or physical contact which is found objectionable and offensive and which might threaten an employee or participant or create an intimidating or uncomfortable environment. Harassment can be sexual, racial, directed against people with disabilities or indeed related to any characteristic exhibited by the individual. (See Hunts Mind's Harassment & Bullying Policy for guidance where harassment or bullying has occurred).
- 2.7 **Positive Action** refers to measures taken to assist employees or learners who have been under-represented in specific areas, to reach a level of workplace knowledge and competencies that are comparable with 'representative' employees. These measures would normally take the form of additional training. 'Positive discrimination' at the point of selection for work is not permissible.

Hunts Mind urges staff, volunteers, trustees and service users to be aware of the less obvious types of discrimination which result from general assumptions and pre-conceptions about the capabilities, interests and characteristics of individuals.

3. Policy Statements

Diversity

- 3.1 Hunts Mind will actively encourage diversity to maximise achievement, creativity and good practice and to bring benefit to individuals and communities.

- 3.2 Hunts Mind encourages all people it works with and for to contribute to an environment in which people feel comfortable expressing how they feel and what they need, knowing they will be treated with respect and that their contribution will be valued.
- 3.3 The way we work, train and learn within Hunts Mind reflects both our Mission and Objectives and the spirit and intentions of legislation that outlaws discrimination and promotes equality and diversity.
- 3.4 Hunts Mind will make reasonable adjustments to working practices, equipment and premises and offer, where appropriate, additional support to staff and service users to ensure they are able to take a full and active part in Hunts Mind's work.
- 3.5 Hunts Mind will endeavour to deliver services in a way that genuinely recognises the importance of an inclusive society that brings opportunities and access, not barriers to individuals.

Equal Opportunities

- 3.6 Hunts Mind is an equal opportunities employer and provider of services. No job applicant, employee, volunteer, trustee, member or service user should receive less favourable treatment on the grounds of race, colour, nationality, ethnic or national origin; sex; marital status or caring responsibility; sexual orientation; age; physical, sensory or learning disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities. Nor will such person be disadvantaged by conditions or requirements which cannot be shown to be justifiable. This principle applies to recruitment, promotion, transfer, training, benefits, facilities, procedures and all terms and conditions of employment.

4. Aims and Objectives

- 4.1 The aims and objectives of the Equality and Diversity Policy are:
- To encourage, promote and celebrate diversity in all our activities and services
 - To ensure equal access to jobs and services we provide
 - To ensure compliance with legislation on discrimination and equality (Disabled Persons Employment Acts of 1944 and 1958, the Sex Discrimination Act 1975 and the Race Relations Act 1976, Disability Discrimination Act 2005)
 - To promote equal opportunities in other areas not currently covered by legislation.
 - To create environments free from harassment and discrimination.
 - To maximise the use of resources in the best interests of staff and service users

- To confront and challenge discrimination where and whenever it arises whether it is between colleagues, or in any other area relating to Hunts Mind's work.
- To make a willingness to accept and implement this policy as a necessary qualification for any position in Hunts Mind.
- To ensure, through positive action and so far as is practicable, that all Hunts Mind's premises and services are accessible to all people
- To ensure that employment and advancement within the organisation is determined by objective criteria and personal merit.

5. Policy Implementation: Expectations

5.1 Hunts Mind recognises that passive policies do not provide equality and we will seek to promote equality and diversity within the following framework of responsibilities.

5.2 Responsibility for implementing and developing the policy rests with the Trustees. The overall co-ordinating responsibility for equal opportunities and management of diversity is delegated to the Chief Executive. However, Hunts Mind believes that all who work with or for the organisation have an individual responsibility to accept the policy and ensure a personal involvement in its application; to co-operate actively to ensure that the environment we desire is a reality. Therefore:

5.3 Hunts Mind expects individuals:

- to co-operate with measures introduced by Hunts Mind to ensure equality of opportunity, diversity and non discrimination
- not to harass, abuse or intimidate any other employee or participant on the grounds of race, colour, nationality, ethnic or national origin; sex; marital status or caring responsibility; sexual orientation; age; physical, sensory or learning disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities
- to feel sufficiently confident to inform management if they suspect discrimination is taking place.

5.4 Hunts Mind expects our Line Managers:-

- to ensure that proper records of employment decisions are maintained and regular reviews of employment practices are carried out
- to ensure that grievances are dealt with in a fair and consistent manner and in line with Hunts Mind's Grievance Policy and Procedure
- to ensure that individuals within their area are aware of their legal responsibilities, and the organisation's Equality and Diversity Policy
- to promote actively the benefits of employee and participant diversity, in employment, services and training.

5.5 Hunts Mind will appoint and support Equality and Diversity Advisers when appropriate. We would like them to help us:-

- to support Line Managers, offer advice and make recommendations in relation to Equal Opportunities and Diversity and implementing relevant policies and procedures.
- to ensure that the highest standards of Equality Opportunities practice are observed in the delivery of Hunts Mind services and to undertake training and development opportunities to ensure that competence is maintained.
- to collate and discuss relevant organisational information and make recommendations to the Chief Executive.
- to offer advice and guidance to members of staff, volunteers and organisations in Hunts Mind's Equality and Diversity Policy and Procedures.
- to seek the views and opinions of employees, volunteers, customers and clients on the operation of the policy in his/ her locality/ area of responsibility, in particular to meet the diverse needs of the users.
- to facilitate training and discussion on Equal Opportunities and Diversity issues as appropriate.

5.6 The person with responsibility for Equality and Diversity will:-

- ensure that Managers and Equality and Diversity Advisers are supported in their roles in regard to the Equality and Diversity Policy and Procedures.
- ensure Trustees and managers are appraised regularly on the state of equal opportunities and diversity within Hunts Mind.
- ensure that the Equality and Diversity Policy and associated documents are reviewed on an annual basis, or as legislation dictates.
- review and approve policies, procedures and practices that impact on equal opportunities and diversity practice.
- co-ordinate the delivery of an equality and diversity strategy and action plan.

6. Policy Implementation: Recruitment and Promotion
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6.1 Hunts Mind strives to ensure that our staff reflect the wider community.

6.2 Clear and accurate information on vacant posts should be available through advertisement, job descriptions, person specifications and interview. Vacancies should be advertised sufficiently widely to reach the widest possible range of candidates, either internal and/or external.

- 6.3 All recruitment material should not imply any preferred group, unless a genuine occupational qualification exists limiting a post to a particular group.
- 6.4 Applicants will be informed, through all recruitment material of Hunts Mind's commitment to Equal Opportunities and Diversity and the existence of this policy.
- 6.5 Applicants will also be made aware of Hunts Mind's commitment to the MINDFUL EMPLOYER initiative.
- 6.6 Person specifications may include 'essential' and 'desirable' requirements that are necessary and justifiable. Care, and advice where necessary, is needed to ensure these are not discriminatory.
- 6.7 Staff, volunteers and trustees should be encouraged to discuss their development and training needs through a process of regular support and annual appraisals.
- 6.8 Job titles that are discriminatory should be avoided.

7. Policy Implementation: Interviews and Selection

- 7.1 In line with the intentions of this policy, interviewing and selection policies and processes must take care to reflect the gender, disability and ethnic make up of Hunts Mind when selecting the panel.
- 7.2 The short listing panel will not select candidates on the basis of the gender, name, possible disability or age of the candidate.
- 7.3 The interview panel must take extreme care not to ask discriminatory questions unrelated to the requirements of the job, e.g. race, colour, nationality, ethnic or national origin; sex; marital status or caring responsibility; sexual orientation; age; physical, sensory or learning disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities.

8. Policy Implementation: Training

- 8.1 In line with the intentions of this policy, Hunts Mind will not discriminate in the provision of training courses/ opportunities wherever possible unless we are forced to do so due to outside factors e.g. constraints of our building.
- 8.2 Appropriate training will be provided to enable staff to perform their jobs effectively. The training offered will take into account the needs of all people.
- 8.3 Briefing on this policy will form part of the Induction Procedure for staff and new service users.

- 8.4 Staff will from time to time provide training sessions for volunteers, trustees and service users on issues related to Equality and Diversity.

9. Enforcement

- 9.1 Hunts Mind recognises the need for a continuing commitment to genuine equal opportunities and diversity within the organisation. The effectiveness of the policy's aims and objectives can only be judged by how the policy operates in practice.

Policy Enforcement – Grievances

- 9.2 Any staff member who feels they have been a victim of unlawful discrimination or unfairly treated in a way contrary to the intention of this policy should raise the issue through Hunts Mind's established Grievance Procedure.
- 9.3 Any service user who feels he/ she has been unfairly treated in a way contrary to the intention of this policy should make a complaint through Hunts Mind's Chief Executive, who must report any such complaint to the Employment and Organisational Risk Sub Committee. If the complaint is about the Chief Executive, this should be made through Hunts Mind's Chair.
- 9.4 Any trustee or volunteer who feels they have been a victim of unlawful discrimination or unfairly treated in a way contrary to the intention of this policy should raise the issue through Hunts Mind's established Volunteer Grievance Procedure
- 9.5 Any trustee or volunteer applicant who believes that he/ she has been treated unfairly and contrary to the intention of this policy should raise the issue with the Chief Executive or the Chair of the Employment and Organisational Risk Sub Committee.
- 9.6 Any job applicant who believes that he/ she has been treated unfairly and contrary to the intention of this policy should raise the issue with the Chief Executive or the Chair of the Employment and Organisational Risk Sub Committee.
- 9.7 All incidents of **direct discrimination** are disciplinary offences and will be dealt with under the relevant Disciplinary Procedure.
- 9.8 Incidents of **indirect discrimination** will be investigated to determine whether they should be dealt with under the relevant Disciplinary Procedure.
- 9.9 Incidents of **victimisation** or **harassment** will be dealt with in accordance with Hunts Mind's Harassment & Bullying Procedure. Where incidents of victimisation and harassment are proven, the issue will be dealt with under Hunts Mind's Disciplinary Procedure.

- 9.10 Hunts Mind will not treat lightly or ignore grievances from members of disadvantaged groups on the assumption that they are over-sensitive about discrimination.

Policy Enforcement – Disciplinary Procedure

- 9.11 Any member of staff found to be in breach of this policy will be subject to disciplinary action in line with the Standard Terms of Employment.
- 9.12 Any service user found in breach of this policy will, where appropriate, be counselled on his/her actions and may, where necessary be refused future services from Hunts Mind.
- 9.13 Any trustee or volunteer found to be in breach of this policy will be subject to disciplinary action in line with their agreement with the organisation.

10. Monitoring

- 1.1 Hunts Mind views the collection/analysis of data as vital in informing change and improving performance. Where appropriate, statistics on Hunts Mind's services will be collected and analysed in relation to equality and diversity matters. We will review employee turnover and seek information on reasons for leaving. Local and national data or statistics will be used to benchmark our performance.
- 1.2 The Trustees will review annually equality of opportunity relating to Hunts Mind services. Recruitment and selection procedures will be monitored and reviewed annually by the Chief Executive who will report to the Employment and Organisational Risk Sub Committee. All aspects of personnel policies and procedures shall be kept under review to ensure that they do not operate against the Equal Opportunities Policy.
- 1.3 In order to determine the impact of this policy it is important that a monitoring system be developed which will measure commitment, progress and effectiveness. The Diversity and Equality Policy will be monitored and reviewed as follows:
- The policy will be an agenda item at Hunts Mind's team meetings on quarterly basis.
 - The Chief Executive will undertake an annual policy review. All relevant parties will be encouraged to submit comments for consideration.
 - The review recommendations will be presented to the next Trustee meeting for their comments and ratification.
- 1.4 Where it appears that there may have been or there is a breach of the policy, the Chief Executive will investigate the circumstances and action will be taken to counter any proven breach

- 1.5 If it is found that the policy is excluding or discouraging the development of staff, volunteers, trustees or restricting service users, the Chief Executive should take positive action to re-adjust the policy.

Signed by Sharon Cox :
(Chair)



Date of Ratification by the Board of Trustees: February 2010

Date of Review: February 2011 (or as legislation dictates)