

Equality, Diversity & Human Rights Policy

Date	Version	
April 2018	4.4	
Purpose		
The purpose of this policy is to ensure the Trust creates a fair, diverse and equal culture in which the workforce and service users are protected from discrimination because of any of the nine “protected characteristics” as stated in the Equality Act 2010 and Public Sector Duty.		
Who should read this document?		
All staff		
Key messages		
This policy sets out the methods that the Trust will use to contribute to achieving equality thus avoiding unlawful discrimination in all aspects of its work, promoting good relations and ensuring that we provide high quality, safe care appropriate to the needs of the service user and provided by a workforce that is confident, competent, empowered and diverse.		
Accountabilities		
Production	HR Business Partner	
Review and approval	JSNC	
Ratification	Head of Operational HR	
Dissemination	HR Business Partners	
Compliance	Director of People	
Links to other policies and procedures		
All policies, specifically Bullying & Harassment Policy, Recruitment & Selection Policy, Appraisal Policy, Induction Policy, Promoting Positive Practice and Supporting Transgender Workforce Guidance, Grievance Policy, Improving Performance Policy, Conduct Policy Paternity Leave Policy, Maternity Leave Policy, Adoption Leave Policy, Information Governance Policy, Raising Concerns, Redundancy Policy, Organisational Change Policy, Equality Impact Assessment Guidance		
Version History		
1	November 2012	Initial document publication
2	December 2015	Review to reflect minor changes
3	April 2018	Review to ensure compliance with legislation – minor changes to
4	January 2019	Extended to April 2019
4.1	May 2019	Extended to November 2019
4.2	October 2019	Extended to February 2020
4.3	June 2020	Extended to May 2021 by Lisa White
4.4	March 2021	Extended to November 2021
Last Approval		Due for Review
April 2018		Extended to November 2021

PHNT is committed to creating a fully inclusive and accessible service.

Making equality and diversity an integral part of the business will enable us to enhance the services we deliver and better meet the needs of patients and staff.

We will treat people with dignity and respect, actively promote equality and diversity, and eliminate all forms of discrimination regardless of (but not limited to) age, disability, gender reassignment, race,

religion or belief, sex, sexual orientation, marriage/civil partnership and pregnancy/ maternity.

An electronic version of this document is available on the Trust Documents Network Share Folder (G:\TrustDocuments). Larger text, Braille and Audio versions can be made available upon request.

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1 Introduction

University Hospitals Plymouth NHS Trust (UHPNT) is committed to ensuring that all employees and service users receive equitable treatment and protection from discrimination, harassment and victimisation. This policy sits alongside other relevant policies, to set out UHPNT commitment to equality for all the workforce and service users.

The Trust is committed to:

- creating a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all where the individual differences and contributions of all staff are recognised and valued
- a zero tolerance approach to discrimination, victimisation or harassment of the workforce or service users and takes seriously complaints of this nature by colleagues, customers, suppliers, visitors, the public and others in the course of the organisation's work.
- providing an environment in which people want to work and to be a leader in good employment practice through awareness and education in rights and responsibilities under the policy.
- Continually reviewing practices and procedures to ensure legal compliance and fairness
- enable each member of staff to achieve his or her full potential in an environment characterised by dignity and mutual respect and in line with the Trust's values.

2 Definitions

Equality is about creating a fair society where everyone has the opportunity to fulfil their potential.

Diversity is about recognising and valuing difference in its broadest sense and 'Human rights' are the basic rights and freedoms that belong to every person in the world.

Equality, diversity and human rights are at the heart of the NHS strategy and as such strives to be a leader in the field of diversity.

The Equality Act 2010 and Public Sector Duty requires the Trust to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between different groups. The act covers the groups that are protected in legislation.

The groups are known as the nine "protected characteristics" which are: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage/civil partnership and pregnancy/ maternity.

PHNT has developed this policy with the express aims of:

- Creating a fair, diverse and equal culture in which the workforce and service users are protected from discrimination because of any of the nine "protected characteristics" as stated in the Equality Act 2010 and Public Sector Duty
- Ensuring the dignity of the workforce and service users
- Providing high quality services that are accessible to all
- Avoiding unlawful discrimination, in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline, organisational change, appraisal, induction, family friendly issues and selection for redundancy
- Providing a fair and equitable process for all the workforce and applicants whether temporary, part-time or full-time.
- Providing clarity for everyone in terms of expected behaviours and how everyone conducts themselves in a way that helps the organisation to be inclusive in all aspects of its work and employment
- Complying with external laws, and NHS guidance and policy

This policy sets out the methods that the Trust will use to contribute to achieving equality thus avoiding unlawful discrimination in all aspects of its work, promoting good relations and ensuring that we provide high quality, safe care appropriate to the needs of the service user and provided by a workforce that is confident, competent, empowered and diverse.

The objective of this policy is that UHPNT will manage its equality processes such that:

- The Trust will ensure that the workforce and service users are afforded appropriate protection from discrimination, harassment and victimisation through the establishment of good practice and effective communication (see **Appendix 1** for definitions of discrimination, harassment and victimisation, **Appendix 2** for Training information, **Appendix 3** for Recruitment and Retention, **Appendix 4** Service Delivery)
- The Trust will take a zero tolerance approach to discrimination, victimisation or harassment of the workforce or service users
- The Trust will avoid unlawful discrimination in all aspects of employment and service provision
- The Trust will consider the impact of its services and function on the workforce and service users. One of the ways this will be done is by undertaking Equality Impact Assessments on all strategies, policies, project proposals (including QIPP projects) service proposals, business plans and organisational change proposals (see **Appendix 6** for further information on Equality Impact Assessments)
- Workforce and service equality information will be used to identify trends and issues and actions to address them (see **Appendix 7** for more information regarding equality information)

- The Trust will use the Equality Delivery System as a framework to promote equality and ensure compliance with legislation and external regulatory requirements, including CQC regulations (see **Appendix 8** for more information regarding the Equality Delivery System)
- The Trust Board will be regularly updated with regards to the Equality agenda and specifically the implementation and progress of the Equality Delivery System
- Information provided by job applicants, employees and patients for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the General Data Protection Regulations 2018.
- All personal workforce data will be stored securely, in accordance with the General Data Protection Regulations 2018, within the Employee Staff Record (ESR) system which is managed by the Workforce Development Team.

5 Duties

The Trust will not tolerate the following:

1. **Direct discrimination** – occurs when treating an individual less favourably than you would treat anyone else in the same circumstances.
2. **Indirect Discrimination** – occurs when a requirement or condition of employment has the effect of discriminating unfairly or unjustifiably between one group or an individual and another. This can happen unintentionally.
3. **Victimisation** – occurs if someone is given less favourable treatment than others, because they have exercised their rights under the policy or relevant legislation (eg. by making a complaint or providing information on discrimination or has supported someone else who has made a complaint of discrimination).
4. **Harassment or Bullying** – undermines people’s dignity and effectiveness at work. It may involve action, behaviour, comment or physical contact, which is unwanted, not reciprocated and which causes offence.

For further information on legal definitions see **Appendix 1**

Any action or behaviour found to be in breach of this Policy may be regarded as misconduct or gross misconduct in accordance with the Trust’s Performance and Conduct policy.

The Law

It is unlawful to discriminate directly or indirectly, harass or victimise a member of the workforce or work colleague because of **age, disability, gender reassignment (this includes people who have not undergone any specific treatment or surgery), race (which includes colour, nationality and ethnic or national origins), religion or belief, sex, sexual orientation, marriage/civil partnership and pregnancy/maternity**. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, eg refusing to give a reference for a reason related to one of the protected characteristics.

The workforce should not discriminate, harass or victimise a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede all protected groups from accessing a service.

Equality Act 2010

The Act provides a legislative framework to protect the rights of individuals and advance equality of opportunity for all. It aims to deliver a simple, modern and accessible framework of discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

The Act's key proposals include:

Equality duty on the public sector - The general public sector duty came into force on 5th April 2011 and under section 149 of the Equality Act 2010 requires public bodies to eliminate discrimination, advance equality of opportunity and foster good relations between different groups. It brings together the three previous duties (race, disability and gender) and extends it to gender reassignment, age, sexual orientation and religion or belief. It will also cover the legal requirements on equal pay.

The specific duties of the public sector duty came into force at different times; the deadlines were 31st January and 6th April 2012.

With effect from 31st January 2012 under the duty, public bodies were required to publish information to demonstrate compliance with the general equality duty, including information relating to persons who share relevant protected characteristics who are:

- Employees; or
- Other persons affected by its policy and practices

With effect from 6th April 2012 under the duty, public bodies were required to prepare and publish one or more equality objectives.

An end to age discrimination - this covers service delivery as well as employment. The Act outlaws unjustifiable age discrimination by organisations that provide goods, facilities and services, and carry out public services. This intention has been further supported by the decision to abolish the default retirement age from October 2011.

Harmonisation and extension of discrimination law - direct or indirect discrimination will be prohibited "because of a protected characteristic" and will cover seven areas of: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, (marriage/civil partnership and pregnancy/ maternity are only covered under direct discrimination law). "Disability related" discrimination will be

replaced with a prohibition on discriminating against a disabled person by treating them unfavourably where that treatment is not a proportionate means of achieving a legitimate aim.

Ensure transparency - this requires public bodies to comply with the Equality Duty and publish information to demonstrate compliance for employees and other persons affected by policy and practices. These include gender pay, workforce and service user monitoring by “protected characteristic”. Public bodies will also need to promote equality through their procurement and commissioning arrangements.

Strengthen enforcement – the Act aims to widen tribunals' powers to make recommendations in cases where unlawful discrimination has been proved. At present, a tribunal can recommend that an employer takes steps that will reduce the effect of discrimination on the claimant. The Act extends this to enable wide-ranging recommendations to be made applying across the workplace, such as re-training the workforce, publishing its selection criteria used for staff transfer or promotion, setting up a review panel to deal with equal opportunities, harassment and grievances. While not binding, failure to comply could be damaging to the employer's reputation and be used in evidence against the employer in future discrimination claims.

6 Overall Responsibility for the document

The Head of Operational HR has overall responsibility for the co-ordination and dissemination, implementation and review of this policy.

7 Consultation and ratification

Consultation on the policy has been undertaken with the following groups:

Policy Sub Group

JSNC

Organisational Development Facilitators

HR Business Partners

Information Governance Team

This policy has been ratified by the Joint Staff Negotiating Committee

8 Dissemination and Implementation

Following approval and ratification this document will be rolled out across the Trust.

Publication of this document will be publicised in Vital Signs the Trust's weekly workforce news briefing. All Departmental Heads will have the document sent to them and the new document is available in the Trust Documents Network Share Folder.

Information about the policy will be included in the Valuing People sections of Induction, Mandatory Training and Corporate Valuing People sessions.

9 Monitoring compliance and effectiveness

The Trust will undertake a regular audit of the processes specified in this policy. Additionally, the NHS National Staff Survey, National In-patient and Out-patient

Surveys and local surveys will be analysed to identify trends that relate to this policy. It should be noted that the responsibilities in this policy are enforceable and that managers (and members of the workforce where applicable) failing to uphold their responsibilities may find themselves in breach of internal disciplinary policies and legislation.

10 | **Associated documentation**

ACAS – Delivering Equality and Diversity

PHNT Equalities Impact Assessment Guidance

PHNT Equality Monitoring Guidance

The NHS Constitution for England (March 2010)

Equality Act 2010: The Public Sector Equality Duty (Consultation)

NHS Employers Equality and Diversity pages www.nhsemployers.org

Government Equalities Office www.equalities.gov.uk

Equality and Human Rights Commission www.equalityhumanrights.com

Plymouth City Council Knowing Your Communities

Further workforce information and local demographics can be found at

<http://www.plymouthhospitals.nhs.uk/equality-and-diversity>

Direct discrimination - where a person is treated less favourably than another because of a protected characteristic. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination - where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although the act does not explicitly include pregnancy and maternity for this type of discrimination) such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment - where there is unwanted conduct, related to one of the protected characteristics (although the act does not explicitly include marriage and civil partnership, and pregnancy and maternity for harassment) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination - where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although the act does not explicitly include marriage and civil partnership, and pregnancy and maternity for this type of discrimination).

Perceptive discrimination - where an individual is directly discriminated against or harassed based on a perception that he or she has a particular protected characteristic when he or she does not, in fact, have that protected characteristic (although the act does not explicitly include marriage and civil partnership, and pregnancy and maternity for this type of discrimination).

Victimisation - Treating someone badly because they have done a 'protected act'.
A 'protected act' is:

- Making a claim or complaint of discrimination (under the Equality Act).
- Helping someone else to make a claim by giving evidence or information.
- Making an allegation that the Trust or someone else has breached the Act.
- Doing anything else in connection with the Act.

Failure to make reasonable adjustments - where a physical feature or a provision, criterion or practice puts someone with a specific protected characteristic at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Information taken from the following sources:

Equality & Human Rights Commission website

ACAS Guidance:

NHS Employers website

The Trust will provide learning and development in equality and diversity for all employees, appropriate to their job function. Every new employee will undergo a comprehensive induction programme including equality, diversity and human rights.

The Trust will provide mandatory training in equality, diversity and human rights, to the entire workforce on an annual basis. Additionally, Equality, Diversity and Human Rights content will form a core part of all learning and development programmes.

Additional learning and development will be provided for the people who recruit, select and train employees.

All development activities will include or refer to equality, diversity and human rights.

All employees will have individual Reviews and Development Plans that have been agreed and are reviewed on at least an annual basis.

Information on learning and development opportunities will be widely publicised and accessible to all. All employees will be encouraged to undertake learning and development, which will enable them to progress within the Trust and the wider NHS.

The overriding principle in relation to decisions concerning recruitment and selection is that they must be based on objective and job related criteria, which should be applied fairly and consistently.

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

The Trust cannot lawfully discriminate in the selection of employees for recruitment or promotion, but may use appropriate lawful methods, including lawful positive action, to address the identified under-representation of any group in particular types of job.

The Trust will comply with its obligations in relation to statutory requests for contract variations, considering any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices. Such requests will be refused only if the Trust considers it has good reasons, unrelated to any protected characteristic, for doing so.

The Trust will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

For further information, please refer to the Trust's Recruitment and Selection Policy.

The service user section of the NHS Constitution for England (03/10) states the following:

“You have the right not to be unlawfully discriminated against in the provision of NHS services including on grounds of sex, race, religion or belief, sexual orientation, disability (including learning disability or mental illness), gender reassignment or age.”

“You have the right to be treated with dignity and respect, in accordance with your human rights.”

The Trust will ensure that its services are non-discriminatory, enabling equality of access and provision and will meet the requirements of equalities legislation.

The Trust will ensure that priorities are influenced and set by the health needs of all groups within the local community and health inequalities are narrowed by seeking views of the community and working cohesively with local Health partners to identify and work towards improving health inequalities.

The Trust will ensure that people from local communities know what is available from local health services. Service provision where necessary will be shaped around the needs of the whole of the population in order to gain equal levels of satisfaction.

The Trust will actively engage with all relevant communities in order for them to influence and shape services.

The General Equality Duty of the Equality Act 2010 states the duty also applies to other organisations that exercise public functions. This includes private bodies or voluntary organisations that are carrying out public functions on behalf of a public authority. The Act defines a public function as a function of a public nature for the purposes of the Human Rights Act 1998.

An example of this would be a private company running a prison on behalf of the government. The company would, however, only be covered by the general equality duty with regard to its public functions, but not for other work.

The Trust will ensure that contractors are aware of the act and will provide support from the Trust Equality & Diversity Leads as necessary.

All written contracts with private organisations who are undertaking services for the Trust will need to identify the requirements of the Equality Act.

1. What is an EIA?

An EIA is a process by which we determine how far a decision will affect a user of our services and / or the workforce in terms of equality.

Legislation requires that an assessment of possible impact is undertaken on all existing, new policies, services or proposals prior to ratification as well as when policies, services, strategies or proposals are changed or when appointing contractors or procuring services.

There will be times when it is not practical to delay making a decision or adopting a piece of work. In such cases an action plan should be completed and the initiative must be monitored and reviewed.

An EIA is likely to be required when there is a:

- Relocation of a service
- Withdrawal of a service
- Significant alteration in a service:
 - Change of technology used
 - Change of treatment
 - Change of access to specific treatments
 - Change in practitioner/provider
- Proposal to introduce a service
- New build
- Refurbishment of sites
- New policy or changes to existing policy
- Change to workforce structures where groups of employees are likely to be affected
- When appointing contractors or procuring services

Please note that the EIA process must start at the implementation/review stages of any of the above and not at ratification or sign off stages.

2. Positive impacts

The policy/service may have a positive impact on any of the protected groups (age, disability, gender, race, religion or belief, gender identify, sexual orientation, marriage/civil partnership and pregnancy/maternity) in relation to promoting equality, improving relations with equality target groups, providing services to these groups to tackle health inequalities. Example: a policy on Promoting Dignity & Respect across the Trust would have a high, positive impact on the promotion of equality and no discernible adverse impact.

3. Negative impacts

The policy/service may have a negative/adverse impact upon any of the protected groups. An example of this would occur if the policy for the Patient Advice Liaison Service showed that potential adverse impacts could be experienced on the grounds of age, disability and ethnicity if appropriate Trust literature was not provided in relevant languages or provided in a format which assisted people with learning disabilities.

4. What support is available?

The EIA approach is supported by an EIA training package. This is particularly aimed at any member of staff who is involved in developing, implementing or reviewing policy, service, functions or operational activity and appointing contractors or procuring services.

If you are the lead for any of the above then you must contact the Equality Lead on 37251, so that they can meet and work through the EIA process with you.

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The Equality Act seeks to ensure transparency, meaning public bodies being open about the information on which they base their decisions, about what they are seeking to achieve and about their results.

The Act requires public bodies to publish a range of equality information relating both to their workforce and to the services they provide. Publication of data must be done in a way that is open and freely available to third parties, such as community groups and equality campaigners, who can re-use this data to hold public bodies to account.

Workforce

NHS Trusts are required to comply with the Equality Duty and annually publish equality information, defined by The Equality and Human Rights Commission, including areas such as gender pay, ethnic minority employment and disability employment.

The Trust will monitor and publish information on all the required “protected characteristics” and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

Service Delivery

The Act requires public bodies to publish information that will enable people to judge how effectively we are eliminating discrimination, advancing equality and fostering good relations through the services we provide, commission and procure.

The Act also requires the Trust, as part of our normal business planning process, to set equality outcome objectives, informed by the evidence and data we publish. These objectives must be specific, relevant and above all measurable to enable meaningful scrutiny by citizens and other interested groups who will be able to tell, from the equality data, whether the Trust is achieving what it set out to achieve.

The Equality Duty (part of the Equality Act 2010) requires public bodies to consider the needs of all individuals in their day to day work – in shaping policy, in delivering services, and in relation to their own employees. Under the Public Sector Equality Duty organisations must publish information to demonstrate compliance with the duty no later than 31st January 2012 and annually thereafter.

The Equality Delivery System 2 (EDS2) is designed as a performance and quality assurance mechanism for the NHS and a means by which NHS organisations can meet the requirements of the Equality Act (2010) and the NHS Act (2006).

Central to the EDS2 are its objectives and outcomes. NHS organisations, with their local interests, will assess their equality performance against 18 outcomes grouped under the following four objectives:

1. Better health outcomes for all
2. Improved patient access and experience
3. Empowered, engaged and inclusive staff
4. Inclusive leadership

From the results of the assessment NHS organisations will set defined equality objectives, supported by an action plan. Performance against the selected objectives should be assessed annually, in collaboration with local interests

The Care Quality Commission (CQC) will review equality and diversity as part of the 'well led' domain.

Core Information				
Document Title	The Equality, Diversity & Human Rights policy			
Date Finalised	April 2018			
Dissemination Lead	HR Business Partner			
Previous Documents				
Previous document in use?	Yes			
Action to retrieve old copies.	Previous policy will be replaced on Trust documents.			
Dissemination Plan				
Recipient(s)	When	How	Responsibility	Progress update
Daily email	April 2018	Email	HRBP	

Review		
Title	Is the title clear and unambiguous?	Yes
	Is it clear whether the document is a policy, procedure, protocol, framework, APN or SOP?	Yes
	Does the style & format comply?	Yes
Rationale	Are reasons for development of the document stated?	Yes
Development Process	Is the method described in brief?	Yes
	Are people involved in the development identified?	Yes
	Has a reasonable attempt has been made to ensure relevant expertise has been used?	Yes
	Is there evidence of consultation with stakeholders and users?	Yes
Content	Is the objective of the document clear?	Yes
	Is the target population clear and unambiguous?	Yes
	Are the intended outcomes described?	Yes
	Are the statements clear and unambiguous?	Yes
Evidence Base	Is the type of evidence to support the document identified explicitly?	Yes
	Are key references cited and in full?	Yes
	Are supporting documents referenced?	Yes
Approval	Does the document identify which committee/group will review it?	Yes
	If appropriate have the joint Human Resources/staff side committee (or equivalent) approved the document?	
	Does the document identify which Executive Director will ratify it?	Yes
Dissemination & Implementation	Is there an outline/plan to identify how this will be done?	Yes
	Does the plan include the necessary training/support to ensure compliance?	Yes
Document Control	Does the document identify where it will be held?	Yes
	Have archiving arrangements for superseded documents been addressed?	Yes
Monitoring Compliance & Effectiveness	Are there measurable standards or KPIs to support the monitoring of compliance with and effectiveness of the document?	Yes
	Is there a plan to review or audit compliance with the document?	Yes
Review Date	Is the review date identified?	Yes
	Is the frequency of review identified? If so is it acceptable?	Yes
Overall Responsibility	Is it clear who will be responsible for co-ordinating the dissemination, implementation and review of the document?	Yes

Core Information	
Manager	HR Business Partner
Directorate	HR and Organisational Development Directorate
Date	April 2018
Title	Equality, Diversity and Human Rights
What are the aims, objectives & projected outcomes?	<p>This policy has been developed with the express aims of:</p> <ul style="list-style-type: none"> • Creating a fair, diverse and equal culture in which the workforce and service users are protected from discrimination because of any of the nine "protected characteristics" in the Equality Act 2010 and Public Sector Duty • Ensuring the dignity of the workforce and service users • Providing a fair and equitable process for all the workforce and applicants • Complying with external laws, and NHS guidance and policy <p>The Trust is committed to ensuring that employees and service users receive equitable treatment and protection from all types of discrimination, harassment and victimisation. This policy sits alongside other relevant policies, to set out Plymouth Hospitals Trust's commitment to equality for all the workforce and service users.</p> <p>The Trust will:</p> <ul style="list-style-type: none"> • avoid unlawful discrimination, in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy. • take a zero tolerance approach to discrimination, victimisation or harassment of a member of the workforce or service users. <p>This policy also ensures that we are compliant with the CQC compliance requirements.</p>

Scope of the assessment

All protected characteristics have been considered when developing the policy.

Beneficiaries/stakeholders of this policy include all workforce, contractors and service users covering all protected characteristics.

The original policy and EIA has been developed by:

- Equality & Diversity Lead (Workforce)
- Equality & Diversity Lead (Service)
- PRIDE Forum
- Trans Information

Workforce and Service user monitoring, analysis and publication will be undertaken to ensure compliance with legislative requirements and to meet CQC requirements.

Collecting data

Race

There is no evidence to suggest that there is a negative impact on race regarding this policy.

Workforce and service data is currently monitored, analysed and published on the Trust website. Areas of concern will be addressed through appropriate action plans.

Data from workforce surveys, complaints and service user surveys will be monitored and analysed as required.

Religion

There is no evidence to suggest that there is a negative impact on Religion or belief and non-belief regarding this policy.

Workforce and service data is currently monitored, analysed and published on the Trust website. Areas of concern will be addressed through appropriate action plans.

Data from the workforce surveys, complaints and service user surveys will be monitored and analysed as required.

Disability

There is no evidence to suggest that there is a negative impact on Disability regarding this policy.

Workforce and service data is currently monitored, analysed and published on the Trust website. Areas of concern will be addressed through appropriate action plans.

Data from the workforce surveys, complaints and service user surveys will be monitored and analysed as required.

Sex

There is no evidence to suggest that there is a negative impact on gender regarding this policy.

Workforce and service data is currently monitored, analysed and published on the Trust website. Areas of concern will be addressed through appropriate action plans.

Data from the workforce surveys, complaints and service user surveys will be monitored and analysed as required.

Gender Identity	<p>There is no evidence to suggest that there is a negative impact on gender identity regarding this policy, currently workforce and service data for this area is not collected, due to the current provision on the data collection systems, however, this is an area that is under development.</p> <p>Reference is made to the Privacy & Dignity and Promoting Positive Practice and Supporting Transgender Workforce - Guidance for further information.</p>
Sexual Orientation	<p>There is no evidence to suggest that there is a negative impact on sexual orientation regarding this policy.</p> <p>Workforce and service data is currently monitored, analysed and published on the Trust website. Areas of concern will be addressed through appropriate action plans.</p> <p>Data from complaints and service user surveys will be monitored and analysed as required.</p>
Age	<p>Workforce and service data is currently monitored, analysed and published on the Trust website. Areas of concern will be addressed through appropriate action plans.</p> <p>The geographical data shows that the communities served by PHNT are also from the older population. 33% of the Plymouth population are over the age of 50.</p> <p>Data from complaints and service user surveys will be monitored and analysed as required.</p>
Socio-Economic	<p>There is no evidence to suggest that there is a negative impact on socio-economic regarding this policy.</p>
Human Rights	<p>Workforce and service data is currently monitored, analysed and published on the Trust website. Areas of concern will be addressed through appropriate action plans.</p> <p>Data from complaints and service user surveys will be monitored and analysed as required.</p>
What are the overall trends/patterns in the above data?	<p>There are currently no trends or patterns in the data that is produced.</p> <p>Workforce and service data is currently monitored, analysed and published on the Trust website, although there is an issue with the systems collecting all protected characteristics. Areas of concern will be addressed through appropriate action plans.</p> <p>Data from complaints and service user surveys will be monitored and analysed as required.</p>
Specific issues and data gaps that may need to be addressed through consultation or further research	<p>Analysis of workforce and service user data needs to be undertaken on a quarterly basis or more often as required</p>
Involving and consulting stakeholders	

Internal involvement and consultation	<p>Internal consultation and involvement was undertaken via email and various forums</p> <p>Policy Sub Group</p> <p>Organisational Development Facilitators</p> <p>HR Business Partners</p> <p>Information Governance Team</p>
External involvement and consultation	
Impact Assessment	
Overall assessment and analysis of the evidence	<p>Workforce and service data is currently monitored, analysed and published on the Trust website although there is an issue with the systems collecting all protected characteristics. . Areas of concern will be addressed through appropriate action plans.</p> <p>Data from complaints and service user surveys will be monitored and analysed as required.</p>

Action Plan				
Action	Owner	Risks	Completion Date	Progress update
Undertake analysis of workforce data by protected characteristics	HR Business Partners	Accuracy of data resources	Quarterly or at least on an annual basis	Ongoing
Undertake analysis of service user data by protected characteristics	Performance information/Clinical Governance Team	Accuracy of data resources	Quarterly or at least on an annual basis	Ongoing