

# Equality, Diversity & Inclusion Policy

This policy sets out the Trusts expected standards of behaviour in employment in all of its functions and duties, service delivery, suppliers, contractors and partner agencies. As a public body, the Trust has a duty to eliminate discrimination, advance equality and foster good relations

**Key words:** Equality, diversity, inclusion

**Version:** 7

**Approved by:** Strategic Workforce Group

**Ratified By:** People and Culture Committee

**Date this version was ratified:** 10<sup>th</sup> October 2024

**Date issued for publication:** 14<sup>th</sup> October 2024

**Review date:** April 2027

**Expiry date:** 1 October 2027

**Type of Policy:** Non-Clinical

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# Policy On A Page

## SUMMARY & AIM

What is this policy for?

This policy provides guidance for the Trust's employees on the expectations and other considerations to support Equality, Diversity, and Inclusion at the Trust. Equality means making sure all staff have an equal opportunity to have a positive work environment and progress in their career. Diversity is the acknowledgement of the many differences, identities, and backgrounds our staff have, and Inclusion is a choice to actively work to ensure all staff are supported.

## KEY REQUIREMENTS

What do I need to follow?

Staff should be aware of the Trust's duty to eliminate unlawful discrimination and harassment, advance equality of opportunity, and foster good relations as described in the Equality Act 2010.

Recruitment should follow the "Recruitment and Selection" policy to ensure the process is fair and transparent. Where clarity is required, managers will seek advice from the Human Resources Team or the Equality Diversity and Inclusion Team.

Cases of bullying, harassment, and victimisation between staff should be handled through the Trust's dispute resolution policy. To contact an advisor you can call the confidential helpline on 07557190581 or e-mail [lpt.abhas@nhs.net](mailto:lpt.abhas@nhs.net).

Patients, service users, carers and visitors who are verbally or physically abusive or who make derogatory statements that are of a discriminatory nature to any staff or other patients should be aware that they will be challenged about their behaviour under our Zero Tolerance to abuse and Violence approach.

## TARGET AUDIENCE:

Who is involved with this policy?

This policy is relevant for all staff, as well as prospective staff members. There is also guidance on working with service users.

## TRAINING

What training is there for this policy?

The Trust has mandatory eLearning on Equality, Diversity and Inclusion. The Equality, Diversity, and Inclusion Team also offers live learning sets on a variety of topics, such as Race and Cultural Intelligence, Disability Equality, and LGBTQ+ Awareness.

## 1.0 Quick look summary

Please note that this is designed to act as a quick reference guide only and is not intended to replace the need to read the full policy.

### 1.1 Version control and summary of changes

| Version number | Date           | Comments (description change and amendments)  |
|----------------|----------------|---|
| 1              | September 2011 |   |
| 2              | December 2011  | Amendments post initial review of draft 1.0   |
| 3              | February 2012  | Final Draft prior to consultation.  |
| 3.1            | 6 March 2012   | Amendments following feedback from HR LPT Staffside Policy Group.   |
| 4              | January 2014   | Reviewed and revised EHR policy in line with legislation.   |
| 5              | January 2018   | <p>Reviewed and revised to take account of any changes in legislation, policy and practice. The changes entail the following:</p> <ul style="list-style-type: none"> <li>• Titled changed to Equality, Diversity and Inclusion policy</li> <li>• Key words includes 'inclusion'</li> <li>• Clarity and update on the legislation</li> <li>• Extensive details on Human Rights Act removed</li> <li>• Reasonable adjustment moved under Gender Re-assignment</li> <li>• Update of information</li> <li>• Clarity on zero-tolerance to bullying and harassment</li> <li>• The word 'support' under ABHAS changed to 'advice'</li> <li>• Added Modern Slavery Act 2015 information.</li> <li>• Updated information under the following: <ul style="list-style-type: none"> <li>○ training details</li> <li>○ revised diversity and inclusion approach</li> <li>○ Staff Support Groups</li> <li>○ Procurement</li> <li>○ Hate Crime</li> <li>○ Performance and contracts</li> <li>○ Monitoring and review</li> <li>○ Due regard</li> <li>○ Complaints.</li> </ul> </li> </ul> |
| 5.1            | November 2018  | <p>Reviewed and revised to take account of any changes in legislation, policy and practice. The changes entail the following:</p> <p>Updated information:</p> <ul style="list-style-type: none"> <li>• Due Regard</li> <li>• Removed NHSLA standards.</li> </ul>  |
| 6              | July 2021      | Minor changes have been made to the document. For example, changing the name of the Equality, Diversity and Human Rights Team to the Equality, Diversity and Inclusion Service. Slight amendment to the definition of   |

| Version number | Date      | Comments (description change and amendments)  |
|----------------|-----------|---|
|                |           | Inclusion in the definitions table.   |
| 6.1            | June 2022 | Added a reference to a “no disadvantage” reference in it for the armed forces community – para 17.3   |
| 7              | July 2024 | <p>Changes to wording of policy description, governance, changes to policy names as follows: Trans Employee policy, Dispute resolution policy, Disciplinary Policy.</p> <p>Condensing and rephrasing of wording for gender reassignment, reasonable adjustments, anti-bullying and complaint. Reference added to zero tolerance policy.</p> <p>Changes to staff support networks – previously referred to as groups.</p> <p>Removal of hate crime information.</p> <p>Addition of Human Rights Act 1998 in relation to service delivery.</p> <p>Email address change for EDI Service.</p> <p>Updated Protected Characteristics List.</p> <p>Made EDI Policy Flowchart Accessible and included text description.</p> <p>Updated the quick look summary to the Trust’s Policy on a Page template.</p> |

For Further Information Contact: [LPT.EDI@nhs.net](mailto:LPT.EDI@nhs.net)

## 1.2 Key individuals involved in developing and consulting on the document

| Name               | Designation  |
|--------------------|--|
| Haseeb Ahmad       | Head of Equality, Diversity and Inclusion                            |
| Wider Consultation | All LPT Staff Bands 7 and above<br>Staffside<br>Trust Policy Experts |

## 1.3 Governance

| Level 2 or 3 approving delivery group | Level 1 Committee to ratify policy |
|---------------------------------------|------------------------------------|
| Strategic Workforce Group             | People and Culture Committee       |

## 1.4 Equality Statement

Leicestershire Partnership NHS Trust (LPT) aims to design and implement policy documents that meet the diverse needs of our service, population and workforce, ensuring that none are placed at a disadvantage over others. It takes into account the provisions of the Equality Act 2010 and promotes equal opportunities for all. This document has been assessed to ensure that no one receives less favourable treatment on the protected characteristics of their age, disability, sex (gender), gender reassignment, sexual

orientation, marriage and civil partnership, race, religion or belief, pregnancy and maternity.

If you would like a copy of this document in any other format, please contact [lpt.corporateaffairs@nhs.net](mailto:lpt.corporateaffairs@nhs.net)

## 1.5 Due Regard

LPT will ensure that due regard for equality is taken and as such will undertake an analysis of equality (assessment of impact) on existing and new policies in line with the Equality Act 2010. This process will help to ensure that:

- Strategies, policies and procedures and services are free from discrimination.
- LPT complies with current equality legislation.
- Due regard is given to equality in decision making and subsequent processes.
- Opportunities for promoting equality are identified.

Please refer to due regard assessment (Appendix 3) of this policy.

## 1.6 Definitions that apply to this policy

|                            |  |
|----------------------------|--|
| <b>Bullying</b>            | Bullying is offensive, intimidating, malicious, or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.   |
| <b>Due Regard</b>          | Having due regard for advancing equality involves:<br>Removing or minimising disadvantages suffered by people due to their protected characteristics.<br>Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.<br>Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.  |
| <b>Diversity</b>           | Diversity is about the recognition and valuing of difference in its broadest sense. It is about creating a working culture and practices that recognise, respect, value and harness difference for the benefit of the organisation, its workforce and the individual, including patients.  |
| <b>Dignity and Respect</b> | To treat someone with dignity is to treat them as being of worth, in a way that is respectful of them as individuals. Dignity is the result of being treated with respect. It is internal and often associated with a sense of worth, wellbeing, being valued and having a sense of purpose.<br>Respect is done (not in a pejorative sense) to other people. When dealing with other people it is about being polite, being thoughtful and caring, keeping them informed, meeting their needs, ensuring their privacy, etc. and not treating them as an object of service. |
| <b>Equality</b>            | Equality is not about treating everyone the same it is about creating a fairer society where everyone can participate and has the opportunity to fulfil their potential. The implementation of equality is backed by legislation designed to address unfair discrimination based on particular protected characteristics.  |

|                                    |   |
|------------------------------------|---|
| <b>Equality and Diversity</b>      | Equality and Diversity are not inter-changeable but inter-dependent. There can be no equality of opportunity if difference is not valued, harnessed and taken account of.   |
| <b>Equality Groups</b>             | People exhibiting one or more of the protected characteristics; age, disability, gender, ethnicity, religion and belief, sexual orientation, transgender, maternity, paternity, marriage and civil partnership.   |
| <b>Fairness</b>                    | Fairness is treating people equally or in a way that is right or reasonable and considering everything that has an effect on a situation, so that a fair judgment can be made.  |
| <b>Harassment</b>                  | In the Equality Act 2010 harassment is defined as 'unwanted conduct related to a relevant protected characteristic, 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'.  |
| <b>Human Rights</b>                | 'Human rights' are the basic rights and freedoms that belong to every person in the world. They are the fundamental things that human beings need in order to flourish and participate fully in society. Human rights belong to everyone, regardless of their circumstances. They cannot be given away or taken away from you by anybody – although some rights can be limited or restricted in certain circumstances. For example, your right to liberty (Article 5, European Convention on Human Rights) can be restricted if you are convicted of a crime. |
| <b>Inclusion</b>                   | The term inclusion is seen as a universal human right. It is the act of involving all people irrespective of their protected characteristic, medical conditions or other needs in every aspect of life. It is about giving equal access, being truly inclusive in involving everyone in decision-making and eliminating discrimination.   |
| <b>Protected Characteristics</b>   | This policy is intended to protect employees (all staff including bank workers) and service users from unfair treatment, regardless of their background. Our definition of 'protected characteristics' is based on those set out in the Equality Act 2010. The nine protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.  |
| <b>Public Sector Equality Duty</b> | A public authority (including NHS organisations) must, in the exercise of their functions, have due regard to the need to eliminate discrimination, harassment and victimisation or any other conduct prohibited by the Equality Act 2010 in relation to the protected characteristics advance equality of opportunity between all persons; and foster good relations between groups of people sharing a protected characteristic and those that do not.  |

## 2.0 Purpose and Introduction/Why we need this policy

The policy applies to all staff, service users, patients, carers, visitors and any activities and functions undertaken by, or on behalf of the Trust.

Equality sits at the heart of everything the Trust does and delivers. It is a fundamental part of ensuring services and employment practices are fit for purpose and do not discriminate or disadvantage any protected group or individual.

This policy replaces all previous equality policies managed by the Trust.

The Trust is committed to creating a culture where everyone has equal chances to improve their health and welfare in an environment free from any unlawful discrimination, harassment, and bullying.

The Trust recognises that the experiences and needs of every individual are unique. The Trust strives to value and respect the diversity of its service users, patients, carers, staff and the public.

The policy sets out the Trusts expected standards of behaviour in employment, service delivery, suppliers, contractors, and partner agencies. As a public body, the Trust has a duty to eliminate discrimination, advance equality and foster good relations.

This policy provides a framework for Leicestershire Partnership NHS Trust (hereafter referred to as the Trust) that will ensure compliance with the Equality Act 2010, Public Sector Equality Duty, Human Rights Act 1998 and Mental health Act 2007 in respect of their responsibilities as an employer and as a provider of services. The policy underpins any other policy or practice applied by the Trust.

The policy demonstrates the Trusts commitment towards dealing fairly with issues of equality, diversity and inclusion and anti-discriminatory practice both in the provision of services and as an employer. It is the intention of the Trust to eliminate unfair and unlawful discriminatory practices in line with current legislation.

Our commitment to this agenda has been summarised in our 'Equality and Diversity Statement'.

All staff should act in accordance with our Trust leadership behaviours for all and be able to evidence adherence in situations that involve equality and diversity. A fundamental approach to developing our Leadership behaviours for all is our ability to both give and receive feedback in a positive and insightful way. The feedback method is based on defining; Context, Understanding, Behaviour and Effect (CUBE).

## 3.0 Policy Requirements / Legal Duty

### Equality Act 2010

The policy contains measures under the Equality Act 2010 to ensure as far as possible no one in the Trust discriminates (directly or indirectly) or victimises another person on the grounds of age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The legislation covers discrimination on several grounds: direct and indirect discrimination, discrimination by association, discrimination by perception and victimisation.

The Public Sector Equality Duty (PSED) consists of a general duty, (set out in section 149 of the Equality Act 2010); and specific duties (set out in secondary legislation to accompany the Equality Act 2010). The specific duties are designed to help public bodies



meet the general duty, aiming to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- advance equality of opportunity between people who share a protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

### **Commitment to Human Rights Approach**

The Human Rights Act 1998 sets universal standards to ensure that a person's basic needs as a human being are recognised and met. Public authorities are required to have arrangements in place to ensure that they comply with equality and human rights legislation, and it is unlawful for public sector organisations to act in a way that is incompatible with the legislation.

The Act encourages public authorities to apply a human rights approach to decision making across public services in order to achieve better service provision. The Care Quality Commission standards stipulate requirements related to human rights. The Trusts core purpose of putting patients first embodies the principles of respecting human rights. The UK Human Rights Act contains 15 basic rights.

### **Modern Slavery Act 2015**

The 'Modern Slavery Act 2015' received Royal Assent on 26 March 2015 and is compatible with the Human Rights Act 1998 and the Equality Act 2010. The Act was introduced to protect individuals held against their will in relation to slavery, servitude and forced or compulsory labour, human trafficking and exploitation.

What is modern slavery?

Modern slavery is the illegal trade of human beings used for the purpose of commercial sexual exploitation or reproductive slavery, forced labour, or a modern-day form of slavery. This could relate to British and foreign nationals trafficked into, around and out of the UK. Children, women and men can all be victims of modern slavery. The Trust Board, Chief Executive, Clinical Directors, Divisional Directors, Heads of Service, Clinical Leads and managers have overall responsibility for ensuring that staff are aware and receive appropriate support for dealing with issues regarding the Modern Slavery Act.

All staff have a responsibility to raise concerns with their immediate line manager and take appropriate action by using the routes outlined to report incidents of modern slavery.

### **Gender Reassignment**

It is unlawful to discriminate against staff because they are in the process of changing their gender identity or have gone through the process of gender reassignment. Trust policies support and ensure that staff are not discriminated against on the grounds of gender reassignment when engaging in any process such as:

- Recruitment and selection
- Determining pay
- Training and development
- Selection for promotion
- Discipline and grievances
- Countering bullying and harassment
- Taking time off work.

Gender reassignment is a personal, social, and sometimes medical, process by which a person's gender presentation (the way they appear to others) is changed. Anyone who proposes to, starts or has completed a process to change his or her gender is protected from discrimination under the Equality Act. An individual does not need to be under medical supervision to be protected. So, for example, a trans person who has not undergone any medical procedures would be covered (please refer to the Trust Trans Employee Policy).

### **Reasonable Adjustments**

The Trust will make reasonable adjustments for candidates and employees in accordance with its reasonable adjustments policy.

### **Anti-bullying, Harassment and Victimisation**

The Trust has a zero-tolerance to bullying, harassment and victimisation. All cases of bullying, harassment and victimisation would be handled through its Dispute Resolution Policy.

We are committed to having a working environment which is free from intimidation, offensive banter, discrimination, harassment or bullying on the grounds of a person's protected characteristic or any other unjustifiable conditions or requirements covered under legislation. This includes bullying and harassment on the grounds of association or perceived association with any of the aforementioned characteristics. The Trust has designed, developed and implemented a confidential advisory Anti-Bullying and Harassment Advice Service that uses trained advisors to provide guidance and advice to individuals experiencing inappropriate behaviour. To contact an advisor you can call the confidential helpline on 07557190581 or e-mail [jpt.abhas@nhs.net](mailto:jpt.abhas@nhs.net).

The Trust will not tolerate or accept bullying and harassment behaviour from staff, providers of services and service users. Managers will ensure, so far as is reasonably practicable, that bullying and harassment does not occur. Any action or behaviour found to be in breach of Trust policies may be regarded as misconduct or gross misconduct and may result in disciplinary action, in accordance with the Trust Disciplinary Policy.

Examples of bullying may include and is not limited to – direct verbal or physical abuse, offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate, or injure the recipient. Such as deliberate exclusion and ignoring the person.

The 'Recruitment and Selection' policy will underpin all other policies related to recruitment, promotion, transfers, redeployment and resignations. All aspects of the recruitment and selection process has been designed to be open, fair and transparent. Where clarity is required, managers will seek advice and support from the Human Resources Team or the Equality and Diversity and Inclusion Service.

All job advertisements will include a statement to encourage applications from groups that are under-represented within the Trust. Any positive action initiatives to encourage such applications will keep to relevant legislation.

Job advertisements and supporting recruitment documentation will ensure that they do not refer to any specific equality criteria unless there is a genuine occupational requirement, which fully meets the provisions of the relevant legislation. Any personal details specified

must be genuinely necessary to perform the particular role. For example; a post on a female only ward might specify an essential criterion that applicants must be female.

Any procedure for selecting and recruiting staff, promoting, transferring and redeploying employees and resignations/voluntary redundancies of employment will need to be fair and consistent (please see Trust Recruitment and Selection policy and guidance).

Staff leaving the Trust will be asked to complete an online form or may request a 1:2:1 exit interview, these will be opportunities to provide feedback and/or discuss any equality and diversity issues.

## **Grievance and Disputes**

Grievance:

All staff have the right to seek redress for their grievances. Grievances must be treated equally and fairly and not subjected to assumptions about the personal sensitivity of the employee expressing the grievance (please see the Dispute Resolution Policy for further details).

Disciplinary Policy:

The Disciplinary Policy is in place to ensure that all employees are aware of and maintain the high standards of conduct required by this Trust. It clearly describes the process for reporting, investigating and managing allegations of misconduct and ensures all employees are treated fairly and consistently.

People (other than employees) Working for the Trust:

Contractors, agency staff, partners, stakeholders and students on placement within the Trust who are providing services are required to adhere to the equality principles outlined in this policy. Appropriate action will be taken against contractors, agency staff and students who fail to adhere to the policy.

Patients, Service Users, Carers and Visitors:

Patients, service users, carers and visitors will be expected to recognise and comply with the principles set out in this policy whilst on the Trust's premises or whilst receiving care originating from the Trust. Every effort will be made by the Trust to ensure all relevant information is available in a suitable format to achieve this aim.

Patients, service users, carers and visitors are expected to be respectful to all staff and other patients:

Patients, service users, carers and visitors who are verbally or physically abusive or who make derogatory statements that are of a discriminatory nature to any staff or other patients should be aware that they will be challenged about their behaviour under our Zero Tolerance to abuse and Violence approach. Where appropriate, the Trust may consider limiting or withdrawing the provision of services to, patients, service users, carers and visitors and may seek to prosecute individuals where it deems necessary (please refer to our Zero Tolerance to abuse and Violence guidance).

The Trust will consider issues such as non-capacity and any learning disability at this time before any action is taken such as a service being removed or reduced.

## **Equality, Diversity and Inclusion Strategy**

The Trust's Equality, Diversity and Inclusion Strategy 2021 - 2025 has been designed and developed to improve service delivery to the broader community and meet our public sector equality duty. The Trust will also aim to extend its focus to reduce the health inequalities and associated socio-economic factors. The objectives and any associated action plans for the next four years will focus on activity that improves outcomes for those most disadvantaged.

### **Staff Support Networks**

The Trust supports the establishment of Staff Support networks for staff. The staff support networks provide an opportunity for staff who share one or more aspects of their identity, (protected characteristics) or who wish to champion/support/learn about any protected group to communicate, network, meet and support each other. In turn, the Staff Support networks help the Trust to break down barriers and improve equality outcomes. Further information about our staff networks can be found on the internal Staffnet pages.

### **Involving, Engaging and Consulting**

The Trust will involve, engage and consult with local communities, employees, trade unions and anyone receiving our services, to develop and put in place strategies, policies and services that are appropriate to our diverse communities. The Trust will assess the effect of strategies, policies and services on all communities to ensure that needs are understood and met.

### **Procurement**

The Trust is committed to effective procurement to ensure a range of choice and equitable provision

The idea of fairness for all is at the heart of the NHS and is reflected in the NHS Constitution. We make every effort to guarantee that the organisations from which we commission health services offer equitable access to all within Leicester, Leicestershire and Rutland, irrespective of any protected characteristic or equality group.

The Trust has an obligation to pass on our equality duties to contractors, such as the collection of equality monitoring data in order to allow the assessment of equal access and outcomes by protected characteristics. Equality duties relevant to the provider must be explicitly and clearly stated within the organisation's contracts.

### **Performance and Contract Management**

The Trust has a legal obligation to monitor the impact of commissioned services on people from different equality groups. The health needs of disadvantaged groups cannot be accurately identified without access to data that is appropriately disaggregated, nor can we evidence progress towards improving access and health outcomes and reducing health inequalities.

### **Service Delivery**

The Trust will endeavour to ensure that its services are non-discriminatory, enabling equality of access and provision and meeting the requirements of the Human Rights Act 1998 and the Equality Act 2010.

The Trust will make every effort to prioritise its services and set them according to the

health and social care needs of all diverse groups within the community. The Trust recognises the importance of seeking views from the community it serves and working cohesively to identify and improve services that help to tackle health inequalities.

There will be no disadvantage for any person belonging to the armed forces community on a waiting list, if, in the event of being transferred from another NHS Trust, they will maintain their position on that waiting list.

## **Complaints**

The Trust will endeavour to actively involve and engage with all communities in order that they can influence and shape services. It is committed to fostering a culture where patients can approach a member of staff and raise a concern. Any concerns/issues will be considered and discussed with them and resolved where possible.

If members of staff have a complaint they should contact the Human Resources Team or the Equality, Diversity and Inclusion Service. All grievances and complaints will be treated seriously and with sensitivity. Further information can be obtained from the Human Resources Team or by viewing the relevant policies on our Staffnet website.

## **Equality, Diversity and Inclusion Service**

The Equality, Diversity and Inclusion Service will work in partnership with service users and staff to reduce barriers. The Service will provide support and guidance on equality to the board, chief executive, directors, senior managers, leads and all staff, as required.

The Service will provide or make provision for the delivery of training that is appropriate to ensuring that equality, diversity and inclusion principles and practice are applied for promoting, embedding and mainstreaming equality into everything we do.

To contact the EDI Service, please e-mail us at [LPT.EDI@nhs.net](mailto:LPT.EDI@nhs.net)

## **Reviewing**

An essential part of this policy is the monitoring of equality related outcomes and measures. The Trust will monitor activity and highlight any equality concerns that are identified. This will enable us to take appropriate action to address any issues identified. The Director of Human Resources and Organisational Development has the lead responsibility and accountability to ensure that this policy document is reviewed with respect to changes in legislation and/or at any time where it can be shown the needs of either the Trust or its employees are not being met.

## **Responsibility for Document Development**

The responsibility for the development of this policy rests with the Head of EDI and the EDI Workforce Group chaired by the Director of HR and OD.

## **4.0 Duties within the Organisation**

The Trust Board has a legal responsibility for Trust policies and for ensuring that they are carried out effectively.

The Trust Policy Committee is mandated on behalf of the Trust Board to adopt policies

As stated above the EDI Workforce Group has responsibility for this Policy.

Directors and Heads of Service are responsible for:

- Adherence to this Policy
- Ensuring that this policy is communicated to and made known to all staff and where appropriate patients, service users and members of the public.

Managers and Team leaders are responsible for:

- Adherence to this Policy
- Ensuring that this policy is communicated to and made known to all staff and where appropriate patients, service users and members of the public.

Responsibility of Staff:

- Adherence to the policy
- Awareness of its contents and their legal obligations
- Advancement of the policy in line with their legal responsibilities.

## 5.0 Monitoring Compliance and Effectiveness

| Page/Section | Minimum Requirements to monitor  | Method for Monitoring                                  | Responsible Individual /Group  | Frequency of monitoring |
|--------------|--|--|--|-------------------------|
| All          | Reporting of workforce and user demographic data to the EDI workforce Group and the EDI Patient Experience and Involvement Group | Submission and publication of reports on Trust website | Head of EDI<br>EDI Workforce Group<br>EDI Patient Experience and Involvement Group | Annually                |

## 6.0 References and Bibliography

N/A as the policy has been reviewed in light of relevant legislation and existing policy.

## 7.0 Fraud, Bribery and Corruption consideration

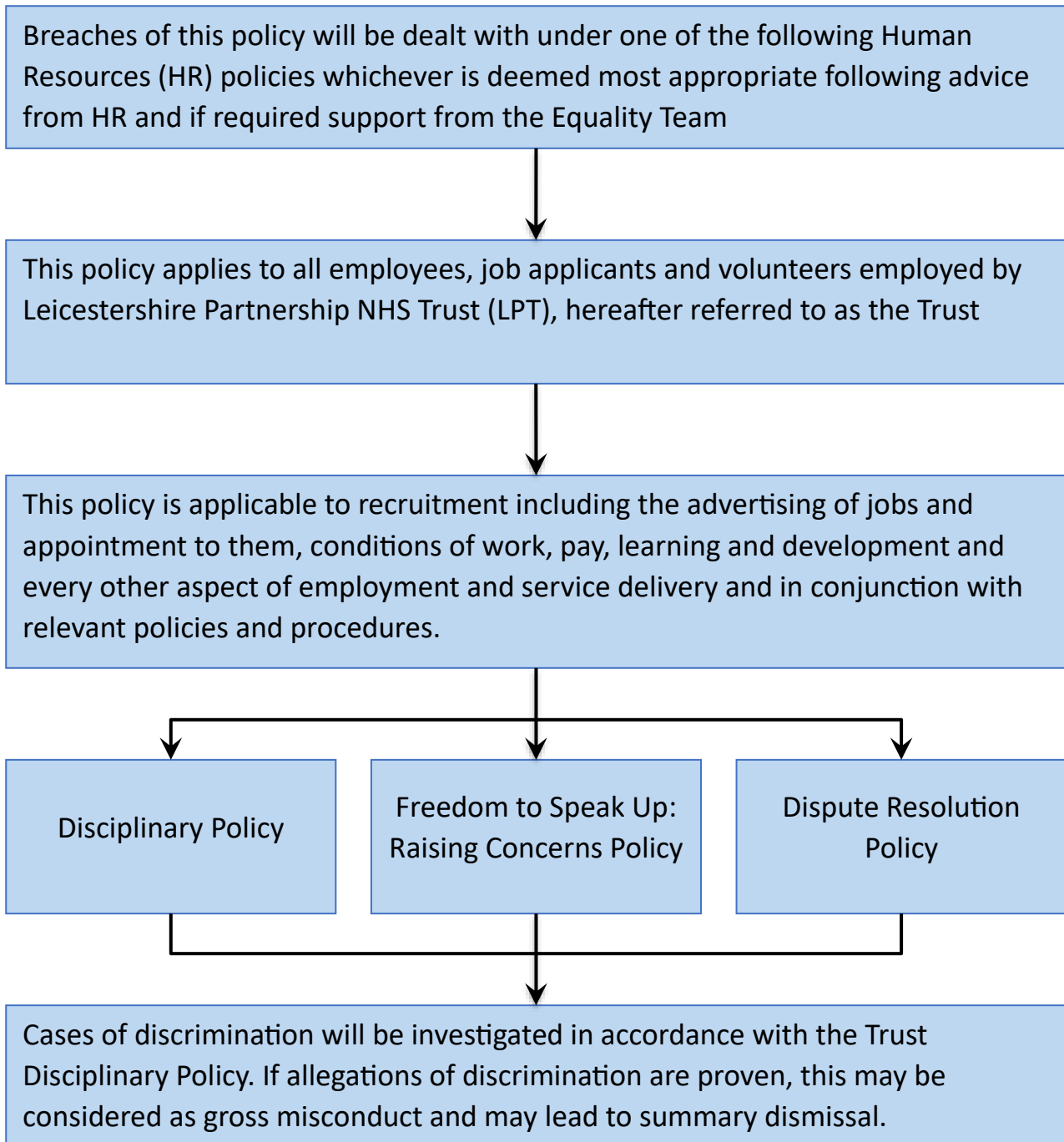
The Trust has a zero-tolerance approach to fraud, bribery and corruption in all areas of our work and it is important that this is reflected through all policies and procedures to mitigate these risks.

Fraud relates to a dishonest representation, failure to disclose information or abuse of position in order to make a gain or cause a loss. Bribery involves the giving or receiving of gifts or money in return for improper performance. Corruption relates to dishonest or fraudulent conduct by those in power.

Any procedure incurring costs or fees or involving the procurement or provision of goods or service, may be susceptible to fraud, bribery, or corruption so provision should be made within the policy to safeguard against these.

If there is a potential that the policy being written, amended or updated controls a procedure for which there is a potential of fraud, bribery, or corruption to occur you should contact the Trusts Local Counter Fraud Specialist (LCFS) for assistance.

## 8.0 Flowchart



### EDI Policy flowchart Text Description:

1. Breaches of this policy will be dealt with under one of the following Human Resources (HR) policies whichever is deemed most appropriate following advice from HR and if required support from the Equality Team.
2. This policy applies to all employees, job applicants and volunteers employed by Leicestershire Partnership NHS Trust (LPT), hereafter referred to as the Trust.
3. This policy is applicable to recruitment including the advertising of jobs and appointment to them, conditions of work, pay, learning and development and every

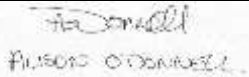
other aspect of employment and service delivery and in conjunction with relevant policies and procedures.

4. Policy Options:
  - a. Disciplinary Policy
  - b. Freedom to Speak Up: Raising Concerns Policy
  - c. Dispute Resolution Policy.
5. Cases of discrimination will be investigated in accordance with the Trust Disciplinary Policy. If allegations of discrimination are proven, this may be considered as gross misconduct and may lead to summary dismissal.



## Appendix 1 Training Needs Analysis

Training required to meet the policy requirements must be approved prior to policy approval. Learning and Development manage the approval of training.

|  |  |                |               |
|--|--|----------------|---------------|
| <b>Training topic/title:</b>   | Equality Diversity and Inclusion Training  |                |               |
| Type of training:<br>(see Mandatory and Role Essential Training policy for descriptions) | <input type="checkbox"/> Not required<br><b>YES - Mandatory (must be on mandatory training register)</b><br><input type="checkbox"/> Role Essential (must be on the role essential training register)<br><input type="checkbox"/> Desirable or Developmental |                |               |
| Directorate to which the training is applicable:   | Yes - Directorate of Mental Health<br>Yes - Community Health Services<br>Yes - Enabling Services<br>Yes - Estates and Facilities<br>Yes - Families, Young People, Children, Learning Disability and Autism<br>Yes - Hosted Services                          |                |               |
| Staff groups who require the training: (consider bank /agency/volunteers/medical)        | ALL  |                |               |
| Governance group who has approved this training:   | EDI Group  | Date approved: | NHSE approved |
| Named lead or team who is responsible for this training:                                 | Head of EDI  |                |               |
| Delivery mode of training: eLearning/virtual/classroom/informal/adhoc                    | eLearning  |                |               |
| Has a training plan been agreed?   | Yes  |                |               |
| Where will completion of this training be recorded?                                      | <input checked="" type="checkbox"/> Yes - uLearn<br><input type="checkbox"/> Other (please specify)  |                |               |
| How is this training going to be quality assured and completions monitored?              | Reported to EDI group and through training compliance reporting  |                |               |
| <b>Signed by Learning and Development Approval name and date</b>                         |   |                | Date: 30.9.24 |



## Appendix 2 The NHS Constitution

- The NHS will provide a universal service for all based on clinical need, not ability to pay.
- The NHS will provide a comprehensive range of services.

|   |   |
|---|---|
| Shape its services around the needs and preferences of individual patients, their families and their carers                         | Y |
| Respond to different needs of different sectors of the population   | Y |
| Work continuously to improve quality services and to minimise errors  | Y |
| Support and value its staff   | Y |
| Work together with others to ensure a seamless service for patients   | Y |
| Help keep people healthy and work to reduce health inequalities   | Y |
| Respect the confidentiality of individual patients and provide open access to information about services, treatment and performance | Y |

## Appendix 3 Due Regard Screening Template

| Section 1  |  |
|--|--|
| Name of activity/proposal  | Reviewing of Equality, Diversity & Inclusion Policy  |
| Date Screening commenced   | 23 <sup>rd</sup> July 2024   |
| Directorate / Service carrying out the assessment  | EDI Service  |
| Name and role of person undertaking this Due Regard (Equality Analysis)  | Haseeb Ahmad   |
| Give an overview of the aims, objectives and purpose of the proposal:  |  |
| <p><b>AIMS:</b> To ensure that the Equality Diversity &amp; Inclusion Policy meets all current legal and statutory requirements in line with equality legislation in discharging its functions under the Equality Act 2010.</p>  |  |
| <p><b>OBJECTIVES:</b> To ensure the EDI Policy meets its statutory requirements under the Equality act. To ensure that the EDI Policy provides the necessary framework to guide staff (at all levels), patients, service users and the public in discharging their legal, business and moral obligations in relation to equality, diversity and inclusion.</p> |  |
| Section 2  |  |
| Protected Characteristic   | If the proposal/s have a positive or negative impact please give brief details   |
| Age  | Positive, this policy is intended to advance equality of opportunity and eliminate discrimination for all people with protected characteristics in relation to all aspects of employment and service delivery  |
| Disability   | Positive, this policy is intended to advance equality of opportunity and eliminate discrimination for all people with protected characteristics in relation to all aspects of employment and service delivery  |
| Gender reassignment  | Neutral, this policy is intended to advance equality of opportunity and eliminate discrimination for all people with protected characteristics in relation to all aspects of employment and service delivery. There is a recognition that there will be circumstances where the views and needs of Trans people will differ to those with gender critical views. The trans policies will set out in more detail how the Trust will balance the needs and views of those with differing requirements. |
| Marriage & Civil Partnership   | Positive, this policy is intended to advance equality of opportunity and eliminate discrimination for all people with protected characteristics in relation to all aspects of employment and service delivery  |
| Pregnancy & Maternity  | Positive, this policy is intended to advance equality of opportunity and eliminate discrimination for all people with protected characteristics in relation to all aspects of employment and service delivery  |
| Race   | Positive, this policy is intended to advance equality of opportunity and eliminate discrimination for all people with protected characteristics in relation to all aspects of employment and service delivery  |
| Religion and Belief  | Positive, this policy is intended to advance equality of opportunity and eliminate discrimination for all people with protected characteristics in relation to all aspects of employment and service delivery. Please see above in relation to issues pertaining to gender critical views.   |
| Sex  | Positive, this policy is intended to advance equality of opportunity and eliminate discrimination for all people with protected characteristics in relation to all aspects of employment and service delivery. Please see above in relation to issues pertaining to gender critical views.   |

|  |  |                              |                            |
|--|--|------------------------------|----------------------------|
| Sexual Orientation   | Positive, this policy is intended to advance equality of opportunity and eliminate discrimination for all people with protected characteristics in relation to all aspects of employment and service delivery  |                              |                            |
| Other equality groups?   | Positive, this policy is intended to advance equality of opportunity and eliminate discrimination for all people with protected characteristics in relation to all aspects of employment and service delivery. |                              |                            |
| <b>Section 3</b>   |  |                              |                            |
| Does this activity propose major changes in terms of scale or significance for LPT? For example, is there a clear indication that, although the proposal is minor it is likely to have a major affect for people from an equality group/s? Please <u>tick</u> appropriate box below.   |  |                              |                            |
| Yes  |  | No                           |                            |
| High risk: Complete a full EIA starting click <a href="#">here</a> to proceed to Part B  |  | Low risk: Go to Section 4. ✓ |                            |
| <b>Section 4</b>   |  |                              |                            |
| If this proposal is low risk please give evidence or justification for how you reached this decision:  |  |                              |                            |
| This policy is aimed at the promotion of equality of opportunity for everyone with protected characteristics. We base our decisions on the evidence we analyse and case law. There is a recognition that there have been a number of recent cases pertaining to issues surrounding gender critical views. The trust is working through these in a sensitive and objective manner, balancing the needs and requirements of different groups. This is being considered as part of the consultation in relation to the Trans Employee Policy being reviewed at the time of the EDI Policy is undergoing its review process. |  |                              |                            |
| Signed by reviewer/assessor  |   | Date                         | 23 <sup>rd</sup> July 2024 |
| <i>Sign off that this proposal is low risk and does not require a full Equality Analysis</i>   |  |                              |                            |
| Head of Service Signed   |   | Date                         | 5 August 2024              |

## Appendix 4 Data Privacy Impact Assessment Screening

|  |  |                             |
|--|--|-----------------------------|
| <p>Data Privacy impact assessment (DPIAs) are a tool which can help organisations identify the most effective way to comply with their data protection obligations and meet Individual's expectations of privacy.</p> <p>The following screening questions will help the Trust determine if there are any privacy issues associated with the implementation of the Policy. Answering 'yes' to any of these questions is an indication that a DPIA may be a useful exercise. An explanation for the answers will assist with the determination as to whether a full DPIA is required which will require senior management support, at this stage the Head of Data Privacy must be involved.</p> |  |                             |
| <b>Name of Document:</b>   | <b>Equality, Diversity and Inclusion Policy</b>    |                             |
| <b>Completed by:</b>   | <b>Haseeb Ahmad</b>                                |                             |
| <b>Job title</b>   | <b>Head of Equality, Diversity &amp; Inclusion</b> | <b>Date: 23rd July 2024</b> |
| <b>Screening Questions</b>   | <b>Yes / No</b>                                    | <b>Explanatory Note</b>     |
| 1. Will the process described in the document involve the collection of new information about individuals? This is information in excess of what is required to carry out the process described within the document.   | No   |                             |
| 2. Will the process described in the document compel individuals to provide information about them? This is information in excess of what is required to carry out the process described within the document.  | No   |                             |
| 3. Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information as part of the process described in this document?   | No   |                             |
| 4. Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used?   | No   |                             |
| 5. Does the process outlined in this document involve the use of new technology which might be perceived as being privacy intrusive? For example, the use of biometrics.   | No   |                             |
| 6. Will the process outlined in this document result in decisions being made or action taken against individuals in ways which can have a significant impact on them?  | No   |                             |
| 7. As part of the process outlined in this document, is the information about individuals of a kind particularly likely to raise privacy concerns or expectations? For examples, health records, criminal records or other information that people would consider to be particularly private.  | No   |                             |
| 8. Will the process require you to contact individuals in ways which they may find intrusive?  | No   |                             |
| <p><b>If the answer to any of these questions is 'Yes' please contact the Data Privacy Team via <a href="mailto:Lpt-dataprivacy@leicspart.secure.nhs.uk">Lpt-dataprivacy@leicspart.secure.nhs.uk</a></b><br/> <b>In this case, ratification of a procedural document will not take place until review by the Head of Data Privacy.</b></p>   |  |                             |
| <b>Data Privacy approval name:</b>   | <b>Hannah Plowright</b>                            |                             |
| <b>Date of approval</b>  | <b>21/08/2024</b>                                  |                             |

Acknowledgement: This is based on the work of Princess Alexandra Hospital NHS Trust