To set out the Trust’s ‘zero tolerance’ policy on equality and human rights in relation to employment, service delivery, goods, supplies, contractors and partner agencies, outlining the expected standards in order that no individual or group of people receive less favourable treatment either directly or indirectly.

Equality, Diversity, Human Rights, Protected Characteristics, Equality Act, Public Sector Equality Duty, Due Regard, Discrimination, Bullying and Harassment

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Name of originator/author: Sandy Zavery – EHR Lead

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All Trust Policies can be provided in large print or Braille formats, if requested, and an interpreting service is available as required.
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**Definitions**

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<tr>
<th>Bullying</th>
<th>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.</th>
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| Due Regard | Having **due regard** for advancing equality involves:  
- Removing or minimising disadvantages suffered by people due to their protected characteristics.  
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.  
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low. |
| Diversity | 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. |
| Dignity and Respect | 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, well-being, being valued and having a sense of purpose. 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. |
| Equality | 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. |
| Equality and Diversity | 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. |
| Equality Groups | People exhibiting one or more of the protected characteristics; age, disability, gender, ethnicity, religion and belief, sexual orientation, transgender, maternity and paternity and marriage and civil partnership. |
| Fairness | 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. |
| Harassment | 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’. |
| Human Rights | ‘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. |

Please [click here](#) for a comprehensive schedule of equality, diversity and human rights related definitions.
| **Inclusion** | The term inclusion is seen as a universal human right and aims to embrace all people irrespective of their protected characteristic, medical condition or other need. It is about giving equal access and opportunities and getting rid of discrimination and intolerance. |
| **Protected Characteristics** | This policy is intended to protect employees 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. |
| **Public Sector Equality Duty** | 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. |
| **EDS2 HUB** | Equality Delivery System –Hub is an internal portal on LPT site. The Trust is now using the EDS to benchmark performance. The EDS uses a rating system underpinned by a substantial number of factors which need to be evidenced to achieve the following ratings: undeveloped, developing, achieving and excelling. |
Equality Statement

Leicestershire Partnership NHS Trust (LPT) aims to design and implement policies and practices that meet the diverse needs of our local population and workforce. It is about creating fair and equal access to goods, services, facilities and employment opportunities for all. It is about reducing disadvantage experienced by some groups in comparison to others.

This policy takes into account the provisions of the Equality Act 2010 and the general and specific duties, ensuring as far as possible that the Trust eliminates discrimination, advances equality of opportunity and fosters good relationships. It is about ensuring no one receives less favourable treatment on the grounds of; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (gender) or sexual orientation.

In carrying out its functions, the Trust will take into account the different needs of different groups in their area. This applies to all the activities for which LPT is responsible, including policy development, review and implementation.

1. Introduction

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, Human Rights Act 1998 and Mental health Act 2007 in respect of their duties as an employer and as a provider of services, and which underpins any other policy and practice applied by the Trust.

The policy demonstrates the Trusts commitment towards dealing fairly with issues of equality of opportunity 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 Statement’.

a. Background

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
Equality and Human Rights Policy

Trust has a duty to eliminate discrimination, advance equality and foster good relations.

b. Purpose

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.

2. Legal Duty

a. 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.

b. 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:

- The right to life
- The right not to be tortured or treated in an inhuman or degrading way
- The right to be free from slavery or forced labour
- The right to liberty and security
- The right to a fair trial
- The right to no punishment without law
- The right to respect for private and family life, home and correspondence
- The right to freedom of thought, conscience and religion
- The right to freedom of expression
- The right to freedom of assembly and association
- The right to marry and have a family
- The right not to be discriminated against in relation to the enjoyment of any of the rights contained in the European Convention
- The right to peaceful enjoyment of possessions
- The right to education
- The right to free elections

The Trust will consider these human rights principles in relation to our staff and patients at all times. The Trust aims to demonstrate its commitment to quality outcomes that will improve the patient experience of patients in the services provided; as well as fostering an environment in which staff feel valued in and positive about the work that they undertake.

A human rights based approach is the process by which human rights are put into practice. The Department of Health and British Institute of Human Rights have set out five key principles:

- Putting human rights principles and standards at the heart of policy and planning.
- Empowering staff and service users with knowledge, skills and organisational leadership and commitment to achieve human rights based approaches.
- Enabling meaningful involvement and participation of all key stakeholders
- Ensuring clear accountability throughout the organisation
- Non-discrimination and attention to vulnerable groups

Duties under The Human Rights Act 1998 are to ensure that all staff and service users are equally able to access all their human rights as set out in the Act.

**c. 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 woman who decides to live as a man without undergoing any medical procedures would be covered (please refer to the Trust Gender Reassignment policy).

It is discriminatory to treat transsexual people less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment, when compared to how they would be treated if they were absent because of illness, injury or other reason. Please refer to the Trust Sickness Absence policy.

3. Responsibility and Accountability

a. The Board and Chief Executive

The Trust Board and Chief Executive have overall responsibility and accountability for leading and promoting the equality agenda. Furthermore, the Board, Chief Executive and Directors will take responsibility for applying, co-ordinating and monitoring the activity.

Members of the Board, collectively and individually are responsible for supporting the Chief Executive in this objective by making sure the necessary arrangements are in place to eliminate any unlawful discrimination and by promoting equality of opportunity and good relations when carrying out their work.

The Trust will endeavour to conform to current legislative requirements and will seek to ensure equality in access to and the provision of services. We will also endeavour to breakdown any barriers that prevent equality of access to employment, promotion and development for all.

We have a legal and moral responsibility to ensure that the Trust and its employees do not discriminate. The Trust must also demonstrate that the arrangements it has in place to prevent discrimination are effective. Those arrangements will include ways of:
- planning and driving forward the processes for implementing the equality agenda;
- taking responsibility for monitoring the review of functions and polices and implementing appropriate plans;
- ensuring involvement, engagement and consultation takes place with staff and appropriate groups (representing all equality groups);
- taking responsibility for ensuring relevant information is published and action plans are monitored and reported on, on an annual basis in a manner accessible to all stakeholders.

b. Directors and Heads of Service

Divisional Directors and Heads of Service are responsible and accountable for the implementation of the equality and Human Rights policy and for embedding the equality agenda through the use of the Equality Delivery System 2 (EDS2).

They have specific responsibility for monitoring the effectiveness of this policy and deciding on appropriate actions in response to any needs identified. This policy will be subject to review on a biannual basis, or as a result of changes in legislation in consultation with Staff Side Representatives, representatives from other staff equality groups.

c. Managers and Team Leaders

Trust Managers hold responsibility and accountability for ensuring the practical application of the Equality and Human Rights policy and for the incorporation of its principles into all other Trust policies and procedures, evidenced through the Due Regard process.

Managers should be aware that they will be expected to promote positively equality standards in line with the requirements of the Equality Act 2010.

Managers, and other employees in supervisory positions, have a particular duty to ensure that discrimination and harassment, or any other breaches of Trust policies, do not occur in any directorates/departments or areas of work for which they are responsible. They also have a duty to give positive support to any measures that will promote equality, diversity and human rights.

Additional responsibilities include:

- ensuring that their staff have attended the appropriate mandatory equality training;
- ensuring that those who report to the manager, but who are not employed by the Trust (e.g. volunteers and providers of goods and/or services), take responsibility for their behaviour and conduct in the workplace and to make them aware of the practical application of this policy (Equality Diversity and Human Rights Statement);
- assisting with the monitoring of compliance within their area of responsibility in respect of equality outcomes;
• being involved in the development of policies, practices and service redesign initiatives and ensuring that Due Regard is conducted;
• ensuring allegations of discriminatory behaviour/practices are correctly investigated and that appropriate action is taken through the use of other appropriate policies.

d. Individual Responsibility

Individuals in particular will ensure that:

• they maintain professional behaviour and good practices at all times, ensuring the reputation of the Trust within the community is promoted.
• they have professional attitudes and good conduct and behaviour, which are crucial to equality in the delivery of services and in the carrying out of the Trust's functions.
• they ensure that they do not discriminate, harass or bully anyone.
• they promote a climate free from unacceptable behaviour each employee must ensure that their own conduct, and that of their colleagues, does not cause offence, to this end staff are encouraged to challenge and discourage offending behaviour and to support colleagues who are experiencing harassment, discrimination or bullying.
• they co-operate and adhere to measures introduced by the Trust to ensure equality of opportunity and non-discrimination in employment and service delivery.
• they do not discriminate, when they are involved in recruitment and selection decisions, promotion, transfer or training.
• they do not induce or attempt to induce other members of staff, union members or management to practice unlawful discrimination, harassment or bullying, when delivering a service.
• they do not victimise or attempt to victimise any individual on the grounds that they have made a complaint/grievance or assisted someone who has made a complaint/grievance.
• they do not harass, abuse, intimidate or bully other members of staff or members of the public.
• they inform their managers, if they suspect that discrimination, harassment, bullying, abuse, victimisation or offensive banter has taken place.

The Trust is committed to fostering a culture where staff can approach their manager or supervisor and raise a concern about their human rights. Whatever their concern, they have a right for it to be considered, discussed and resolved where possible.

4. Anti-Bullying and Harassment

The Dignity at work Policy ‘Bullying and Harassment’ is designed to ensure all members of staff, providers of services and service users are aware of what bullying and harassment is, know how to confront and challenge inappropriate behaviour and know how to raise a grievance or complaint without fear of reprisal or victimisation.
We are committed to having a working environment which is free from intimidation, offensive banter, discrimination and harassment or bullying on the grounds of disability, gender, marital status, race, colour, ethnic origin or national origin, nationality, age, sexual orientation, gender re-assignment, religion or belief, pregnancy and maternity or any other unjustifiable conditions or requirements covered under the 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 Support Service that uses trained advisors to provide guidance and support to individuals experiencing inappropriate behaviour. To contact an advisor you can call the confidential helpline on 07557190581 or e-mail nobullying@leicspart.nhs.uk.

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 procedure.

5. Recruitment, Promotion, Transfers, Redeployment and Resignation

The ‘Recruitment and Selection’ policy will underpin all other policies related to recruitment, promotion, transfers, redeployment and resignations. Where clarity is required, managers will seek advice and support from the Human Resources Team or the Equality and Human Rights Team.

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 attend an exit interview, this will be an opportunity to discuss any EDH issues.
6. Grievance and Disciplinary Policy & Procedure

6.1 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 grievance policy for details).

6.2 Disciplinary
This 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 describes clearly the process for reporting, investigating and managing allegations of misconduct and ensures all employees are treated fairly and consistently.

7. Training and Development

There is a need for training identified within this policy. In accordance with the classification of training outlined in the Trust Learning and Development Strategy this training has been identified as Equality Training and is part of the core mandatory equality training programme and undertaken as part of the 2 days new starter Induction programme, thereafter there is a 3 year refresher training.

All staff will have access to regular supervision, an annual review of their performance (Trust PDR policy), and a personal development plan which identifies their training needs. This will include a review of any equality training appropriate to their job function.

The course directory e-source link below will identify: who the training applies to, delivery method, the update frequency, learning outcomes and a list of available dates to access the training. Employees should be encouraged to undertake training and development that will enable them to develop within the Trust. The Equality Team supports LPT Academy in the development, monitoring and review of the equality training.

http://www.leicspart.nhs.uk/Library/AcademyCourseDirectory.pdf

A record of the event will be recorded on OLM.

The governance group responsible for monitoring the training is the Learning and Development group.

8. Reasonable Adjustments

Where members of staff have particular needs for in relation to a protected characteristic (disability, religious or belief, etc.), which may conflict with existing work requirements, these requirements will be considered which may result in
adjustments where reasonably practicable (such as ensuring that documentation is made available in different formats, etc. (please see Reasonable Adjustment policy).

9. 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.

10. 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. 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 see Prevention and Management of Aggression Policy).

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.


The Trust Single Equality Approach and Action Plan 2013 – 2017 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 action plan for the next three years will focus on activity that improves outcomes for those most disadvantaged.

12. Equality Delivery System 2

The Equality Delivery System 2 (EDS2) was launched on the 4th November 2013. The main purpose of EDS2 is to help local NHS organisations, in discussion with local partners including local people and staff, to review and improve their
performance for people with protected characteristics under the Equality Act 2010. The EDS2 will also help the Trust deliver on the Public Sector Equality Duty (PSED).

13. Staff Equality Support Groups

The Trust strongly supports the establishment of Staff Support Groups for staff. The groups provide an opportunity for staff who share one of 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 Groups help the Trust to break down barriers and improve equality outcomes.

The Staff Support Groups also provide career development advice, guidance and support. For more information on the Trusts evolving groups, please visit the staff support group pages on the intranet, also provided is information on time off for attendance.

The Trust has developed Staff Support Group guidance for managers to help managers understand the purpose of the groups and approve attendance at meetings (please see Staff Support Group guidance).


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. The Trust will let the public and our employees know about what it does as a result of consultations and assessments (please refer to the EDS2 HUB and E source for details).

15. Hate crime/incident

Hate Crime is about victims in our communities (internal/external) who are targeted because of who they are, what they are or what people think they are. These incidents are motivated by offenders who have a hatred of their victims for example due to their, race, colour, ethnic or national origins, religion or belief, disability, sexual orientation, gender or gender identity, this list is not exhaustive. Hate crimes come in many forms including physical attacks, threats of violence or verbal abuse such as insults.

As part of the Trusts commitment to tackling hate crime a dedicated online resource is available to support staff and service users (please refer Hate Crime webpage details). One initiative to help tackle hate crime is the facilitation of third party reporting.
Third party reporting takes away the need for a victim to attend a police station or to have any visible police presence at their home. Instead, victims or witnesses can report incidents confidentially and anonymously.

There are also trained staff who deal with third party reports in a manner that will ease any apprehension. These staff can also provide support, advice and potentially act as a link between victims and police.

16. **Procurement**

**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.

**a. 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.

The Trust aims to develop the necessary systems and expertise, (with the support of the Equality and Human Rights Team) to enable effective identification and analysis of local populations by healthcare needs, including the collection of community intelligence. Performance data will increasingly be disaggregated by protected characteristic in order to facilitate this aim.

In summary we will promote equality and diversity throughout the procurement process, from the initial stages of identifying service needs through to finalising a contract.

17. **Monitoring & Review**

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. Appendix B and C has the full policy monitoring details.
We will endeavour to maintain recruitment and selection records for an appropriate period of time, including reasons for short-listing, appointments, and rejections.

The Director of Human Resources and OD (who champions the equality agenda) with the support of the other directors will have 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.

18. 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 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.

19. 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 about their human rights. Any concerns/issues will be considered and discussed with them and resolved where possible (please see Trust Complaints Policy).

Where the issues are complex and difficult to resolve, staff should seek further guidance from their Senior Managers who will, if necessary, seek advice from the Equality and Human Rights Team.

If members of staff have a complaint they should contact the Human Resources Team or the Equality and Human Rights Team. 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 website (link to policies).

For all other issues, staff will need to follow the various policies/procedures implemented by the Trust, dependent upon the complaint and need to follow the process as indicated above, under the heading of Responsibilities.

20. Due Regard

The Trust is committed to equality and ensures that all policies have a Due Regard undertaken to reduce/mitigate any disadvantages/barriers faced by protected groups. The Equality Act 2010 was introduced to eliminate unlawful discrimination,
harassment, victimisation, that advances equality of opportunity and fosters good relations. The public sector equality duty helps the Trust meet its duties under the Act and as part of that duty ensure that due regard is considered for all policies, procedures and functions.

Please [click here](#) to view full details on the Trust Due Regard process in support of this activity.

21. **Equality and Human Rights Team**

The Equality and Human Rights Team will work in partnership with service users and staff to reduce barriers. The team will take the lead to provide support and guidance on equality to the board, chief executive, directors, senior managers, leads and all staff, as required.

The team have equality objectives set in line with regional and national guidance and will build and maintain relationships with stakeholders who have a role to play in helping the Trust to meet its equality objectives; with reporting mechanisms in place.

The team will provide training that is appropriate to ensuring that equality principles are applied for promoting, embedding and mainstreaming equality into everything we do.

We will work with equality champions within directorates to ensure that they are achieving their equality objectives and that Due Regard (equality analysis) is proportionate, meaningful and timely, gaining feedback from service users, staff and other stakeholders on how the Trust is performing.

You can contact the EHR Team for support and information in the following ways:

Telephone Number: 0116 295 7680
E-mail: equality@leicspart.nhs.uk
Appendix A

References

- The Equality Act 2010 and associated non-statutory Codes of Practice
- The Human Rights Act 1998
- Mental Health Act 2007
- The NHS Constitution
- Home Office (Formally Government Equalities Office) https://www.gov.uk

Codes of Practice and Guidance

**ACAS** - guidance on legislation and good practice [www.acas.org.uk](http://www.acas.org.uk)

**British Institute of Human Rights** - guidance on legislation including human rights [www.bihr.org.uk](http://www.bihr.org.uk)

**Department of Health** - information about all department of health activity including equality and human rights [www.dh.gov.uk](http://www.dh.gov.uk)

**Equality and Human Rights Commission** - guidance on legislation and good practice [www.ehrc.org.uk](http://www.ehrc.org.uk)

**NHS Employers** – guidance for NHS on employment policy and practice [www.nhsemployers.org](http://www.nhsemployers.org)

List of Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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</thead>
<tbody>
<tr>
<td>BME</td>
<td>Black Minority Ethnic</td>
</tr>
<tr>
<td>CVD</td>
<td>Cardiovascular Disorder</td>
</tr>
<tr>
<td>CHD</td>
<td>Coronary Heart Disease</td>
</tr>
<tr>
<td>CQC</td>
<td>Care Quality Commission</td>
</tr>
<tr>
<td>DoH</td>
<td>Department of Health</td>
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<tr>
<td>EA</td>
<td>Equality Analysis</td>
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<tr>
<td>EDHR</td>
<td>Equality Diversity and Human Rights</td>
</tr>
<tr>
<td>EDS</td>
<td>Equality Delivery System</td>
</tr>
<tr>
<td>EHRC</td>
<td>Equality Human Rights Commission</td>
</tr>
<tr>
<td>IES</td>
<td>Integrated Equality Service</td>
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<tr>
<td>HIV</td>
<td>Human Immunodeficiency Virus</td>
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<tr>
<td>HR</td>
<td>Human Resources</td>
</tr>
<tr>
<td>ITS</td>
<td>Interpretation and Translation Services</td>
</tr>
<tr>
<td>LGBT</td>
<td>Lesbian Gay Bisexual and Transgender</td>
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<tr>
<td>LPT</td>
<td>Leicestershire Partnership NHS Trust</td>
</tr>
<tr>
<td>PDR</td>
<td>Personal Development Review</td>
</tr>
</tbody>
</table>
## Appendix B - Policy Monitoring and effectiveness

<table>
<thead>
<tr>
<th>Minimum Requirements</th>
<th>Self-assessment evidence</th>
<th>Process for Monitoring</th>
<th>Responsible Individual / Group</th>
<th>Frequency of monitoring</th>
</tr>
</thead>
<tbody>
<tr>
<td>Data captured by protected characteristics on recruitment, selection, interview and appointments.</td>
<td>Section 5</td>
<td>Analysis of recruitment Activity</td>
<td>WOD</td>
<td>Monthly</td>
</tr>
<tr>
<td>Data captured by protected characteristics to assessment training and development activity.</td>
<td>Section 12</td>
<td>Analysis of training &amp; development, deployment and promotions and ESR reports</td>
<td>WOD</td>
<td>Monthly</td>
</tr>
<tr>
<td>Data captured by protected characteristics on grievance, bullying and harassment and disciplinary</td>
<td>Section 3, 10 and 11</td>
<td>Analysis of Grievance, disciplinary and harassment issues</td>
<td>WOD</td>
<td>Monthly</td>
</tr>
<tr>
<td>Data captured by protected characteristics on leavers.</td>
<td>Section 5</td>
<td>Analysis of those leaving the workforce and exit interviews</td>
<td>WOD</td>
<td>Monthly</td>
</tr>
<tr>
<td>Data captured by protected characteristics in relation to complaints received by patients/services users.</td>
<td>Section 19</td>
<td>Equality Monitoring of complaints</td>
<td>PCEG</td>
<td>Quarterly</td>
</tr>
</tbody>
</table>
Appendix C - Policy Monitoring Section

Duties outlined in this Policy will be evidenced through monitoring of the other minimum requirements

Where monitoring identifies any shortfall in compliance the group responsible for the Policy (as identified on the policy cover) shall be responsible for developing and monitoring any action plans to ensure future compliance

<table>
<thead>
<tr>
<th>Ref</th>
<th>Minimum Requirements (what are you measuring)</th>
<th>Self-assessment evidence</th>
<th>Process for Monitoring (how you measure it)</th>
<th>Responsible Individual / Group</th>
<th>Frequency of monitoring</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Statement by the organisation that harassment and bullying are not acceptable</td>
<td>Section 3 and Dignity at Work policy</td>
<td>Mediation &amp; formal investigation processes. Number of cases reported to WOD</td>
<td>WOD</td>
<td>Monthly</td>
</tr>
<tr>
<td>2</td>
<td>The types of checks carried out as part of recruitment and selection of employee and how these checks are carried out</td>
<td>Section 5 and Recruitment and Selection policy</td>
<td>ESR Mandatory Checklist / Renewal &amp; Report</td>
<td>WOD</td>
<td>Monthly</td>
</tr>
<tr>
<td>3</td>
<td>Grievances raised at stage 1 and 2 are responded to within the timeframe stated in the Grievance policy</td>
<td>Section 11 and Grievance Policy</td>
<td>Number of cases reported to WOD</td>
<td>WOD</td>
<td>Monthly</td>
</tr>
<tr>
<td>4</td>
<td>How LPT records that all permanent staff complete core mandatory training</td>
<td>Section 13 and Mandatory Training Policy</td>
<td>Mandatory training register</td>
<td>WOD</td>
<td>Monthly</td>
</tr>
</tbody>
</table>
The NHS Constitution

NHS Core Principles – Checklist

Please tick below those principles that apply to this policy

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

<table>
<thead>
<tr>
<th>Principle</th>
<th>✓</th>
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<tbody>
<tr>
<td>Shape its services around the needs and preferences of individual patients, their families and their carers</td>
<td>✓</td>
</tr>
<tr>
<td>Respond to different needs of different sectors of the population</td>
<td>✓</td>
</tr>
<tr>
<td>Work continuously to improve quality services and to minimise errors</td>
<td>✓</td>
</tr>
<tr>
<td>Support and value its staff</td>
<td>✓</td>
</tr>
<tr>
<td>Work together with others to ensure a seamless service for patients</td>
<td>✓</td>
</tr>
<tr>
<td>Help keep people healthy and work to reduce health inequalities</td>
<td>✓</td>
</tr>
<tr>
<td>Respect the confidentiality of individual patients and provide open access to information about services, treatment and performance</td>
<td>✓</td>
</tr>
</tbody>
</table>