

Policy and Procedure on Equality and Diversity

Potterspurty Lodge School

Policy Author / Reviewer	Shilleen Freeth
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Next Review Date	This Policy will be updated when appropriate, in line with any legislative, regulatory or Company changes.
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Staff Groups Affected	All Staff

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1. Monitoring and Review

- 1.1. The Proprietor will undertake a formal review of this policy for the purpose of monitoring and of the efficiency with which the related duties have been discharged, by no later than three years from the date of approval shown above,

or earlier if significant changes to the systems and arrangements take place, or if legislation, regulatory requirements or best practice guidelines so require.

- 1.2. The local content of this document will be subject to continuous monitoring, refinement and audit by the Head of Service.

Signed:



Jeremy Wiles
Group Executive Director – Children’s Services
September 2023



Sarah Stacey
Principal
September 2023

2. Terminology

- 2.1. Our aim is to use consistent terminology throughout this policy and all supporting documentation as follows:

'Establishment' or 'Location'	this is a generic term which means the Children’s Home/school/college. Potterspurry Lodge is a school
Individual	means any child or young person under the age of 18 or young adult between the ages of 18 and 25. At Potterspurry Lodge School we have children and young people attending and/or residing between the ages of 8 and 18
Service Head	This is the senior person with overall responsibility for the school. At Potterspurry Lodge School this is the Principal who is Sarah Stacey <i>dual registered locations need to include Service Head and Registered Manager if they are not the same person.</i>
Key Worker	Members of staff that have special responsibility for Individuals residing at or attending the Establishment.
Parent, Carer, Guardian	means parent or person with Parental Responsibility
Regulatory Authority	Regulatory Authority is the generic term used in this policy to describe the independent regulatory body responsible for inspecting and regulating services. At Potterspurry Lodge School this is Ofsted.
Social Worker	This means the worker allocated to the child/family. If there is no allocated worker, the Duty Social Worker or Team Manager is responsible.
Placing Authority	Placing Authority means the local authority/agency responsible for placing the child or commissioning the service
Staff	Means full or part-time employees of Cambian, agency workers, bank workers, contract workers and volunteers.

3. Introduction

- 3.1. This policy outlines the Group's Equal Opportunity Policy Statement:
- 3.2. The Company is committed to creating a work environment free of harassment and bullying, where everyone is treated with dignity and respect. Additionally, to provide equal opportunities in employment and avoid unlawful and unfair discrimination, valuing the differences that a diverse workforce can bring to the organisation.
- 3.3. Some harassment is unlawful discrimination and serious harassment may be a criminal offence.
- 3.4. All employees are responsible for the promotion and advancement of this policy. Behaviours, actions or words that transgress the policy will not be tolerated and will be dealt with in line with the Company's disciplinary procedure.
- 3.5. Make sure that you are familiar with the detail and what is expected of you under the policy.

4. Purpose

- 4.1. To ensure that Cambian complies with all the relevant current legislation and other National Standards which govern this area of our work.
- 4.2. To promote equal opportunities for all and combat discrimination in all its forms.
- 4.3. To provide employees with clear policy guidelines and instructions on all aspects of equal opportunities and unfair discrimination.

5. The Law

- 5.1. It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".
- 5.2. Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.
- 5.3. It is unlawful for an employer to fail to make reasonable adjustments to its requirements, working practices or the physical features of the workplace where these put a disabled job applicant or employee at a substantial disadvantage. It is also unlawful discrimination where a disabled employee is at a substantial disadvantage due to the employer's unreasonable failure to provide an auxiliary aid or service to the disabled employee.
- 5.4. Employees should not discriminate against or harass a member of the public in the provision of services, goods or facilities. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical feature makes it impossible or unreasonably difficult for disabled people to make use of its services. In addition, service providers have a duty to think ahead and make reasonable adjustments to address any barriers that may impede disabled people from accessing a service.

6. Policy

- 6.1. Cambian believes that supporting Equality of opportunity for all persons involved with Cambian is vital for its success as an organisation. It is committed to an Equal Opportunities policy for all including individuals for whom we care, relatives, carers, employees and visitors.
- 6.2. All individuals for whom we care, relatives, carers, employees, and visitors, placing authorities, Care Quality Commission, Ofsted, HIW, CSSIW, NYAS, and all other external agencies involved in the care planning of children in our care, shall be made aware of this policy and copies are available on request.
- 6.3. Cambian is committed to ensuring that its employment opportunities and its services are open to all people. The determining factor when making employment decisions will focus on ability and suitability and in relation to service

provision, decisions will always be made on the basis of individual requirements. There is to be no unjustifiable or unlawful acts of discrimination based on such grounds as race, sexual orientation, sex, pregnancy, disability, age, marital and civil partnership status, ethnic origin, religion, sexual orientation, gender reassignment, colour, nationality, part-time or fixed term status or primary care responsibilities.

- 6.4.** The Company will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy. Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any

reasonable adjustments that may be required for candidates with a disability. Disability will not form the basis of employment decisions except where necessary.

- 6.5. The Company has a separate Harassment and Bullying policy concerning these issues on any ground, and how complaints of this nature will be dealt with.

7. Procedures

Responsibilities

- 7.1. The Directors, Line Managers, Heads of Schools/Colleges, Hospital Managers and Unit and Home Managers have overall responsibility for implementation of and compliance with this policy within their areas of management.
- 7.2. Every employee is required to assist the Company to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.
- 7.3. Employees can be held personally liable as well as, or instead of the Company for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.
- 7.4. All employees who are involved in recruitment, selection, promotion or making decisions that affect employees, individuals, residents and visitors are responsible for ensuring that this policy is adhered to and, depending on the specific activity they are carrying out, what the relevant procedural steps are and that relevant guidance is followed.
- 7.5. The Company will provide training in equal opportunities to managers and others likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.
- 7.6. Heads/Hospital managers/Unit/Home Managers are responsible for ensuring that employees receive the training they need.
- 7.7. All employees are responsible for their own conduct towards employees, individuals, residents and visitors and must ensure that their conduct is compliant with and within the spirit of this policy.
- 7.8. Acts of discrimination, harassment, bullying or victimisation against employees, individuals, residents, and visitors are disciplinary offences and will be dealt with under the Company's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to summary dismissal.

Individuals

- 7.9. All individuals for whom we care should have access to facilities, equipment and the whole curriculum which positively reflects a wide range of diversity. Individuals for whom we care should also be involved in the development of equal opportunity issues.
- 7.10. This policy should be accessible to all individuals for whom we care, relatives, carers, employees and visitors.
- 7.11. Copies of this policy should be available on request to anyone who is connected to the Cambian Group or its activities.

Recruitment and selection

- 7.12. All advertisements must be compliant with this policy. Anybody with line management responsibility is encouraged to actively seek applications for employment from all sectors of society.
- 7.13. Applicants must be monitored by using information collected on the Company's HR system.
- 7.14. All new employees should be made aware of this policy during induction and have access.
- 7.15. Anybody with line management responsibility is responsible for ensuring that all employees receive induction training which includes an explanation of this policy.

Employment and Promotion

7.16. In order to carry out their responsibilities, anybody with line management responsibility ought to consider doing the following:

- encourage in-service development programme attendance;
- ensure documents and resources are reviewed on a regular basis;
- ensure that all employees required to achieve QCF 3 & 5 Awards have equal access to assessment;
- ensure that all employees have equal access to all facilities and equipment;
- ensure awareness of this policy and what it aims to achieve; and
- make equal opportunities an agenda item on management meetings.

Complaints

7.17. Employees and individuals for whom we care who suffer incidents of discrimination have the right to make complaints.

7.18. All complaints should be addressed by raising a grievance, using the Company's Grievance Procedure or by raising a complaint under the Anti-Harassment and Bullying policy directly with the line manager or Human Resources Representative.

7.19. A confidential counselling service is available to anyone who has experienced discrimination. The contact number for this is 080 328 1437 (Employee assistance helpline)

7.20. No individual for whom we care or member of staff is to experience ANY detrimental treatment as a result of making a complaint under this policy.

8. Standard Forms, Letters and Relevant Documents

- GHR 1.1 – Reasonable Adjustment Agreement Form
- GHR 02 Harassment and Bullying Policy
- GHR 02.2 What should I do if I think I am being harassed or bullied.
- GHR 02.3 What happens if I am accused of harassment or bullying
- Achieve - Equality and Diversity Module. There is a requirement to complete this on an annual basis.