

# Equality and Diversity

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## 1. Purpose

Nottinghamshire Mind is committed to achieving equal opportunities in employment and the services it provides. No user of our services, employee, volunteer or job applicant should receive less favourable treatment because of any of the nine protected characteristics, as defined by the Equality Act:

- Age
- Disability
- Gender reassignment
- Marriage or Civil Partnership
- Pregnancy and maternity
- Race including colour, nationality, ethnic or national origin
- Religion or belief
- Sex
- Sexual orientation

Nottinghamshire Mind will work to ensure that individuals are not disadvantaged by reason of any other criterion not relevant such as: mental health, gender identity, language, responsibility for dependents, housing status, hours of work.

As an employer and provider of a service to the community, Nottinghamshire Mind accepts the responsibility to promote equal opportunities and challenge discrimination wherever it occurs. This document sets out the main consequences of this commitment and the action to be taken in order to achieve equal opportunities.

## 2. Legislative Framework

The **Equality Act** became law in October 2010. It replaced previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995) and ensures consistency in what employers and employees need to do to make their workplaces a fair environment and comply with the law.

## 3. Scope

Nottinghamshire Mind recognises the importance of equality, diversity and respect in regard to its responsibilities as an employer and provider of services. We are committed to ensuring that this informs all aspects of the work carried

out within the organisation, being an inclusive organisation which values, respects and builds upon diversity. Nottinghamshire Mind will work to challenge stigma, discrimination and the social exclusion of marginalised people within the community.

This policy covers all aspects of Nottinghamshire Mind's services and operational functions:

- Employment
  - Trustee and Volunteer Engagement
  - Clients and users of our services and building
- 1.

Nottinghamshire Mind recognises that some clients and users of its services may, because of their past or present distress or illness, say or do things which would otherwise be unacceptable and incompatible with Nottinghamshire Mind's Equal Opportunities Policy. We will do all we can to challenge such behaviour. In cases where intervention is possible an approach will be adopted which aims to alter attitudes and behaviour while maintaining support for the distressed client.

## **4. Responsibilities**

The Board of Trustees of Nottinghamshire Mind has overall responsibility for the effective operation of this policy. However, all employees, volunteers and service users have a duty as part of their involvement with Nottinghamshire Mind to do everything they can to ensure that the policy works in practice.

The Equality and Diversity Lead will be the HR Manager and the Policy Champion will be Kelsey Radford.

We will bring to the attention of all employees, job applicants, volunteers and service users the existence of this policy. Nottinghamshire Mind will provide such training as is necessary to ensure that the policy is effective and that everyone is aware of it. We will ensure that all staff, trustees and volunteers complete mandatory annual Equality & Diversity training. Reference to the policy should be included in contract documents with outside agencies.

## 5. Definitions

To discriminate is to treat a person more or less favourably on the basis of any of the nine protected characteristics or other such category that is irrelevant to the individual's right to receive fair and equal treatment. It is generally recognised that discrimination can occur in many ways.

**Direct discrimination** occurs where a person is treated less favourably because of a protected characteristic.

**Indirect discrimination** occurs where an apparently neutral policy, provision or practice would put a substantially higher proportion of the members of a particular group (such as sex, racial or ethnic origin, disability etc) at a particular disadvantage compared with other persons unless that provision, or practice is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

**Harassment:** when unwanted conduct related to any of the grounds referred to above takes place with the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment. Harassment may involve physical acts or verbal and non-verbal communications and gestures.

**Victimisation:** where someone is treated less favourably than others because they have taken action against the organisation.

**Positive Action:** Nottinghamshire Mind believes that passive support for equal opportunities is not enough and that positive steps will need to be taken to achieve a diverse workforce that better reflects the community we serve.

## 6. Application and Implementation of the Policy

### 6.1 Employment

Nottinghamshire Mind will treat all employees fairly and create a working environment which is free from discrimination and harassment, and which respects the diverse backgrounds and beliefs of employees.

Nottinghamshire Mind will ensure that all employment policies and procedures, along with terms and conditions of service for employees, comply with all relevant Equality legislation.

Nottinghamshire Mind will treat all employees and job applicants equally and fairly and not discriminate against them. This will include arrangements for recruitment and selection, terms and conditions of employment, access to training opportunities, access to promotion and transfers, grievance and disciplinary processes, demotions, selection for redundancies, dress code, references, work allocation and any other employment related activities.

Nottinghamshire Mind recognises the benefits of having a diverse workforce and will take positive action to ensure that:

- All job descriptions, person specifications and application forms reflect only the requirements of the job and do not imply any form of potential discrimination or stereotyping.
- It recruits from the widest pool of appropriate candidates.
- Employment opportunities are open and accessible to all on the basis of their individual qualities and personal merit, including making clear that life experience as well as formal qualifications and work experience is valid.
- Measures are taken to attract applications from all sections of society and especially from those groups which are under-represented in the workforce.
- Selection criteria and processes do not discriminate; other than in those instances where the organisation is exercising permitted positive action.

Wherever appropriate and necessary, lawful exemptions (genuine occupational requirements) will be used to recruit suitable staff to meet the special needs of particular groups.

Nottinghamshire Mind will use eligibility criteria which are fair to everyone whilst being supportive of our business goals. We will do this by regularly reviewing organisational procedures and documents including job descriptions, job advertisements, employment agency instructions and application forms.

Where appropriate and necessary, Nottinghamshire Mind will provide appropriate facilities and conditions of service which take into account the specific needs of individual employees – such as where reasonable adjustments are required on the grounds of disability.

## **6.2 Volunteer Engagement**

We realise that to offer a service that is relevant to the population of our county and meets their needs the makeup of our volunteer team should, where possible, reflect our diversity, ethnic and cultural differences.

We recognise the significant contribution our volunteers make to delivering our services and seek to support them by ensuring the volunteer environment is one where the principles of fairness, respect, equality, dignity and autonomy are promoted and are part of everyday goals and behaviour. Any barriers faced by specific groups are quickly identified and reported to team leads and action taken to address them.

Volunteers are not protected by law in the same way as paid employees although they have rights regarding discrimination, harassment or victimisation on the grounds of the protected characteristics of the Equality Act 2010 (as listed above).

We work to be aware of any potential tensions within the volunteering environment and will take action to anticipate and address them. We encourage anyone to raise concerns at an early stage. Each concern will be treated confidentially and with respect.

We have a zero tolerance towards any acts of discrimination or harassment by or against volunteers and other stakeholders including the public.

## **6.3 Service Delivery**

The principles of equality, diversity and inclusion are embedded in our organisation's culture and ways of working. We work to identify any obstacles to engagement with our services and our charity by seeking the views and suggestions from service users; stakeholders, staff and volunteers and the public in general on their needs. We use data, feedback and lived experience to ensure we attract service users from diverse backgrounds.

We are realistic about conscious and unconscious biases and use supervision and reflective practice sessions to bring these to the fore and address them,

understand our responsibilities in this area and ensure our services remain relevant and accessible for all.

We ensure service users are aware of feedback and complaint procedures and address any concerns/issues promptly clearly explaining our approach and findings.

## **7. Concerns or Complaints**

Nottinghamshire Mind will treat seriously all complaints of discrimination. Complaints of discrimination may lead to action under the disciplinary procedure and, if proven, will be grounds for disciplinary action that may include dismissal. All complaints will be investigated in accordance with Nottinghamshire Mind's complaints procedure.

Acts of discrimination or harassment on any grounds, or failure to comply with this policy, by employees or volunteers may result in disciplinary action in accordance with Nottinghamshire Mind's Staff disciplinary procedures.

## **8. Monitoring**

The monitoring of this policy and its implementation is the responsibility of the senior management team, led by the Equality & Diversity Lead. They will:

1. Monitor and report on Nottinghamshire Mind's equal opportunities progress, development and practice at trustee meetings to report to the Board of Trustees.
2. Ensure staff, service users' and volunteers' awareness and understanding of equal opportunities issues and practice within Nottinghamshire Mind via training and development.
3. Advise and consult with Nottinghamshire Mind's Board of Trustees on equal opportunities to recommend and discuss courses of action.
4. Have access to appropriate information, legislation, policy, etc. for the purposes of carrying out their role.
5. Identify and advise on any equal opportunities training needs and provision.

## 9. Review

The senior management team will ensure this policy is reviewed annually and that any changes or amendments resulting from that review (or as a result of incident or complaint) are communicated to all staff, trustees and volunteers and reported to the Board of Trustees.

## 10. Version Control

Version Number	Purpose/Change	Author	Date
1.0	Policy reviewed and updated	Nic Roberts, CEO	1/10/2020
1.1	Annual review incorporating update to format and content in line with MQM	Nicola Rea, Service Manager & Katie Freeman, Volunteer Coordinator	19/10/2021
2.0	Formatted to new template and updated with new information according to Mind policy checklist.	Rosie Dorontic, Project Support to CEO	17/05/2022

## 11. Related Policies

- Complaints
- Confidentiality
- GDPR, Data Protection & Storage of Information
- Health and Safety
- Lone worker
- Safeguarding
- Volunteer management
- Whistleblowing
- Staff disciplinary procedures
- Maternity and Paternity
- Recruitment
- Capability
- Harassment
- Service user involvement

**END**