

# Equality, Diversity & Inclusion Policy

## HWHR15

### Document Reference Information

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<b>Directorate Lead:</b>	Hana Taylor / Mike Emery
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1	New policy template & CCG name	To reflect new merged organisation	HR	May 2020

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## **1. Introduction**

- 1.1. The Herefordshire and Worcestershire CCG recognises the importance of having a diverse and engaged workforce and are committed to ensuring all our employees are treated fairly and able to give of their best. The established employment practices, policies and procedures ensure that no employee, or potential employee, receives less favourable treatment on the grounds of sex, race, ethnic or national origin, sexual orientation, marital status, religion or belief, age, disability, gender reassignment or any other personal characteristic.
- 1.2. Ensuring our workforce is diverse and developing an inclusive culture ensures that we are best placed to deliver services to our diverse stakeholders and reflect the populations we serve.
- 1.3. The CCG is committed to reducing any health inequalities that affect the Herefordshire and Worcestershire communities and ensuring that everyone has access to the health care they need, while treating people with respect, dignity, and fairness.

## **2. Equality Statement**

- 2.1. Herefordshire and Worcestershire CCG aims to design and implement policy documents that meet the diverse needs of our services, population, and workforce, ensuring that none are placed at a disadvantage over others. It takes into account current UK legislative requirements, including the Equality Act 2010 and the Human Rights Act 1998, and promotes equal opportunities for all. This document has been designed to ensure that no-one receives less favourable treatment due to their personal circumstances, i.e. the protected characteristics of their age, disability, sex, gender reassignment, sexual orientation, marriage and civil partnership, race, religion or belief, pregnancy, and maternity. Appropriate consideration has also been given to gender identity, socio-economic status, immigration status and the principles of the Human Rights Act.
- 2.2. In carrying out its functions, Herefordshire and Worcestershire CCG must have due regard to the Public Sector Equality Duty (PSED). This applies to all the activities for which Herefordshire and Worcestershire CCG is responsible, including policy development, review, and implementation.

## **3. Purpose of Document**

- 3.1. The purpose of this policy is to outline and communicate the CCG's commitment to the promotion of equality, tackling discrimination and advancing equality of opportunities.
- 3.2. The CCG is committed to:
  - Building and maintaining a workforce which reflects the diversity of the communities it serves.
  - Enabling all employees to make full use of their skills and to achieve their full potential in an environment characterised by dignity and mutual respect.
  - Keeping under review the CCG's policies, procedures, and practices.
  - Acquiring and developing knowledge and skills in relation to equality, inclusion, and diversity.

- Promoting the CCG's approach to equality and inclusion, communicating this to its employees and taking reasonable steps to develop an equal, diverse, and inclusive culture in the organisation.
- Ensuring our Leaders and Managers support and act in accordance with the values of the CCG, the NHS Constitution, and the Code of Conduct for NHS Managers.

**3.3.** This policy describes key responsibilities for how the CCG will achieve key aims, including:

- Delivering a health service where equality and diversity are embraced by everyone.
- Reducing health inequalities that affect our communities.
- Building and maintaining a workforce which reflects the diversity of the community we serve.
- Enabling all employees to make full use of their skills and achieve their potential.

**3.4.** This policy refers to the following relevant legislation, national standards, and their implications:

- The Equality Act 2010
- Public Sector Equality Duty
- Human Rights Act 1998
- NHS Equality Delivery System (EDS2)
- NHS Workforce Race Equality Standard (WRES)

**3.5.** This policy refers to the following relevant HR Policies:

- Recruitment & Selection Policy
- Management of Sickness Absence Policy
- Dignity & Respect at Work Policy

## **4. Scope**

**4.1.** This policy is relevant to all aspects of how we function as a CCG and all our other policies will be written with due regard for the CCG's responsibilities under the Equality Act 2010.

**4.2.** This policy applies to all staff employed by the Herefordshire and Worcestershire CCG. This includes members of the governing body and any committees/sub-committees and persons working on behalf of the CCG.

**4.3.** In commissioning healthcare services and procuring other services, we will ensure that those providing us with those services are aware of this policy and have similar policies themselves, as detailed within the CCG's Procurement process.

### **4.4. As a commissioner**

This policy will be applied as relevant so that barriers to accessing services are identified and removed. No person will be treated less favourably on the grounds of their protected characteristics or any other factor that it would be inequitable to take into account.

We will include within our approach to public involvement those individuals who suffer health inequalities by understanding our communities and stakeholders. Decision making will be undertaken in a fair way so that no one group is significantly disadvantaged by the decisions we take.

#### **4.5. As an employer**

We are committed to offering all our staff and job applicants outside of our organisation equality of opportunity. We will ensure that our employment practices are designed to promote diversity and that nobody is treated less favourably on the grounds of their protected characteristics or any other factor that it would be inequitable to take into account.

No job applicant or employee will be disadvantaged by conditions or requirements that cannot be shown to be justifiable.

- 4.6.** Breaches of this policy will be managed through the CCG's Disciplinary Policy. This explicitly indicates that unlawful discrimination or harassment, physical violence, or bullying, or bringing the organisation into serious disrepute (among other behaviours) are considered acts of gross misconduct.

## **5. Definitions**

**Associative Discrimination** – treating someone less favourably than another person because they are associated with a person who has a protected characteristic.

**Bullying** – includes persistent criticism, intimidation, personal abuse and/or ridicule which humiliates or demeans the individual involved, eroding their self-confidence.

**Direct Discrimination** – treating someone less favourably than someone else because of a protected characteristic. In the case of age, treating someone less favourably than someone else may be justified.

**Diversity** literally means difference. It is about recognising individual as well as group differences and placing positive value on diversity in the workplace. It is not about creating a level playing field and treating everyone equally, it is about treating everyone fairly. Fair treatment is fundamental – unless people are treated with dignity and respect they will not feel valued.

**Equality** is about recognising that each one of us is unique, valuing everyone as an individual creating a fairer society, where everyone can participate and has the opportunity to fulfil their potential.

**Gender expression** – a person's external gender-related clothing and behaviour, including interests and mannerisms

**Gender identity** – Biological sex is assigned at birth, depending on the appearance of the genitals. Gender identity is the gender that a person "identifies" with or feels themselves to be.

**Gender dysphoria** - a condition where a person experiences discomfort or distress because there is a mismatch between their biological sex and gender identity. It is sometimes known as gender identity disorder (GID), gender incongruence or transgenderism.

**Harassment** – Unwanted behaviour that has the purpose or effect of violating a person's dignity or creates a degrading, humiliating, hostile, intimidating or offensive environment. Individuals are also protected from harassment because of perception and/or association.

**Human Rights** are the basic rights all individuals have, regardless of who they are, where they live or what they do. Human rights represent all the things that are important to human beings, such as the ability to choose how to live their lives and being treated with dignity and respect.

**Inclusion** - A sense of belonging, of feeling respected and valued for who you are.

**Indirect Discrimination** – Putting in place a rule or policy or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified. An objective justification recognises that a discriminatory action is likely but can be objectively justified as a proportionate means of achieving a legitimate aim, that is appropriate and necessary.

**Modern Slavery** – This includes servitude, human trafficking, being forced or deceived into work, not able to leave freely and easily without threat to themselves or their family resulting in undesirable or unsafe conditions.

**Perceptive Discrimination** – Treating one person less favourably than someone else, because you incorrectly think they have a protected characteristic.

**Positive (Affirmative) Action** – A range of lawful action that seek to overcome or minimise disadvantages that people who share a protected characteristic have experienced, or to meet their different needs. Positive steps are taken to increase the participation of under-represented groups in the workplace or uptake of services. There is a duty to make reasonable adjustments and an exception where treating a person with a disability more favourably.

**Protected Characteristics** - Nine personal characteristics are protected under Equality law:

Protected Characteristic	Definition
Age	Where this is referred to, it refers to a person belonging to a particular age (for example 19-year olds) or range of ages (for example 50 to 65-year olds).
Disability	A person has a disability if she or he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
Gender Reassignment & Transgender	The process of transitioning from one gender to another. This includes people who have expressed a desire to change gender, live as another gender or dress as another gender.
Marriage & Civil Partnership	Marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).
Pregnancy & Maternity	Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
Race	Refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.
Religion & Belief	Religion has the meaning usually given to it, but belief includes religious and philosophical beliefs including lack of belief (such as Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.
Sex	A man or a woman.
Sexual Orientation	Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

**Victimisation** – Treating an employee less favourably than others because they have made or supported a complaint raised a grievance or they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or support an untrue complaint.

## 6. Training and Competencies

- 6.1. All CCG employees receive training on equality and diversity, at least every three years. This is a specific requirement within the CCG's mandatory training programme.

## 7. Responsibilities and Duties

7.1. All employees of the CCG, members of the governing body and any committees/sub-committees or persons working on behalf of the CCG share the responsibility to create an environment and behave in a manner that facilitates the delivery of the CCGs commitment to equality, inclusion and respect for diversity.

### 7.2. Managers

Managers have a responsibility to:

- Ensure they fully understand and implement this policy within their area of responsibility.
- Lead by example - respecting and promoting equality and diversity in all their duties, behaviours, and actions.
- Apply policies and procedures in a fair and consistent manner.
- Challenge and address any potential discrimination in the workplace, taking prompt, decisive and fair action when necessary.
- Ensure that all decisions around employment and the provision of services, comply with this policy and equality legislation, and are recorded accurately.
- Ensure that all employees within their area of responsibility have read and understood this policy, are clear on their responsibilities and adhere to its principles.
- Ensure that contractors and others working on site adhere to the principles of this Policy.
- Ensure that complaints relating to equality and diversity are handled fairly and responded to Procedure in a fair and consistent manner.
- Ensure that all incidents of potential discrimination are investigated and reported appropriately.
- Act upon any potential concerns raised in relation to Modern Slavery.
- Undertake any training relating to equality, diversity and inclusion required for their role.
- Ensure that all employees within their areas of responsibility complete and remain up to date with mandatory equality and diversity training.
- Ensure an Equality Impact Analysis is undertaken for all activities for which they are responsible. Please see section 10.1 for examples of 'activities'.

### 7.3. Employees

Employees have a responsibility to:

- Familiarise themselves with this policy and ensure they understand their responsibilities and adhere to its principles.
- Behave consistently in ways which uphold the principles of promoting equality and valuing diversity and ensure there is no unlawful discrimination.
- Treat everyone fairly and with respect.
- Raise concerns with their line manager (or other manager) if they observe or have concerns about potential:
  - o Discrimination
  - o Harassment
  - o Bullying
  - o Incidences of Modern Slavery

- o Victimisation
- o Violence
- Co-operate with measures introduced by the CCG to promote equality of opportunity and non-discriminatory practice.
- Undertake all required training relating to equality, diversity, and inclusion.
- Report any concerns via the incident reporting system, where appropriate.

#### **7.4. Accountable Officer**

The Accountable Officer has delegated responsibility for delivering the public sector equality duty and the duty to have regard to the need to reduce inequalities. These responsibilities will be discharged using the Equality Delivery System toolkit - <https://www.england.nhs.uk/wp-content/uploads/2013/11/eds-nov131.pdf>

**7.5.** The Accountable Officer will ensure that equality and diversity issues are reflected appropriately in:

- All other policies.
- Commissioning strategies and plans.
- Formal consultations and other processes for engaging with patients, service users, carers and local communities.
- Recruitment and selection processes.

**7.6.** The Accountable Officer will ensure that the CCG has a training and development programme for all staff such that they understand both their rights and responsibilities in relation to equality and diversity and also the expectations of the CCG. Staff involved in developing commissioning options or making recruitment and selection decisions will be trained to ensure that they are able to recognise the relevant equality and diversity issues.

#### **7.7. The CCG in commissioning services will:**

- Seek to influence the commissioning of services by others, such that available resources are used to meet the needs of our diverse population in a fair and equitable way.
- Work in partnership with local communities to identify and find appropriate solutions to equality and access issues.
- Work towards sustained improvements in public health and well-being, with specific attention to the needs of disadvantaged and vulnerable people.
- Ensure that our premises do not create barriers, physical or social for service users or employees. Communicate effectively and ensure that the information we provide is accessible easy to understand, relevant and appropriate.

#### **7.8. As an employer**

The CCG will ensure that:

- The behaviours of all CCG staff reflect our declared values.
- The criteria for recruitment and selection, including promotion, and access to training opportunities, will be non-discriminatory, clearly stated and remain unchanged throughout each process;

- Employees responsible for, and those providing services to the group in connection with, decisions about discipline, grievances and dismissal will not discriminate on the grounds of any protected characteristics or any other factor that it would be inequitable to take into account.

**7.9.** For equality and inclusion support, the CCG have sourced support from Midlands and Lancashire Commissioning Support Unit. A full-time dedicated business partner, covering all our CCG, works from all of our sites and can be contacted should you need advice, support and guidance.

Please contact [mohammedramzan@nhs.net](mailto:mohammedramzan@nhs.net) should you require support.

Alternatively, you may contact the MLCSU's email [equity.inclusion@nhs.net](mailto:equity.inclusion@nhs.net)

## **8. Service Delivery**

- 8.1.** The CCG is committed to reducing the health inequalities that affect its communities and ensuring that everyone has access to the health care they need.
- 8.2.** The CCG aims to deliver services where equality, diversity and inclusion are fully embedded, and in which all people are valued, treated fairly, and with mutual respect and dignity. Unlawful discrimination will not be tolerated.
- 8.3.** Every effort and reasonable adjustment will be made to ensure our services are accessible and provided equitably for all groups in our community, unless there is evidence to objectively justify alternative arrangements.

## **9. Links to Relevant Legislation**

### **9.1. Equality Act 2010**

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations. The CCG is bound by legal responsibilities in the Equality Act 2010 which states that under law employees are protected from discrimination given on the grounds of the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

### **9.2. Public Sector Equality Duty**

The Public Sector Equality Duty was created under The Equality Act 2010 and came into force in 2011. It requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities.

### **9.3. Human Rights Act 1998**

The Human Rights Act 1998 sets out the fundamental rights and freedoms that all people in the UK are entitled to. It places a legal duty on all public authorities, including NHS Trusts and employees, to respect and protect human rights in everything they do.

## **10. Links to Relevant National Standards**

### **10.1. NHS Equality Delivery System (EDS2)**

The EDS2 is a tool for NHS organisations – in partnership with patients, the public, employees and staff-side organisations – to use to review their equality performance and to identify equality objectives and actions. It offers local and national reporting and accountability mechanisms. The EDS2 has been designed by the NHS for the NHS to improve equality performance and deliver better outcomes for patients, communities and employees which are personal, fair and diverse.

**10.2.** The CCG has adopted the latest version of the Equality Delivery System (EDS2) to analyse our equality performance against 18 outcomes grouped under four goals:

- Better health outcomes.
- Improved patient access and experience.
- A representative and supported workforce.
- Inclusive leadership.

The CCG engages with a wide range of patients and stakeholder from across protected groups, patient groups, community organisations, the voluntary and statutory sectors and other interested groups to review and grade our performance, set equality objectives and develop action plans.

### **10.3. Workforce Race Equality Standard (WRES)**

WRES is a standard used to gauge the current state of 'race equality' within health care organisations. Its aim is to ensure Black and Minority Ethnic (BME) employees are treated fairly and their contribution and talents valued and developed, to identify and promote talented BME employees as well as helping to eliminate potential discrimination. The WRES is included in the NHS standard contract for NHS providers. In line with all NHS organisations, the CCG is required to submit data annually against nine indicators on race, based on NHS national survey data and local workforce data. The CCG's will implement forthcoming Disability Workforce Equality Standard (DWE) as well as other standards, within the timeframe, as required by NHS England.

## **11. Implementation within the CCG**

### **11.1. Equality Impact and Risk Analysis (EIRA)**

Equality Impact and Risk Analysis (EIRA) is a tool for helping commissioners to consider the potential impact that any CCG activities might have on the community (employees, patients, carers & others), from different equality perspectives, and against the nine protected characteristics. Each analysis includes both potential positive impacts for each characteristic, as well as potential negative impacts. The CCG is committed to ensuring that all its services are designed and delivered to meet the needs of the communities. To this end an EIRA will be undertaken for all key activities across the CCG. An EIRA should be carried out early in the planning, development or review of any activity within the CCG. This helps to ensure that equality is placed at the heart of everything we are doing. It also enables any adjustments to be made at an early stage, rather than as an afterthought.

## 11.2. Examples of activities for which an EIRA would be required include:

- Service Redesign
- Projects & plans
- Functions
- Care Pathways
- Organisational change
- Strategies Policies
- Practices
- Processes & procedures
- Guidelines
- Systems
- Proposals

The manager responsible for the activity is the person responsible for ensuring that an EIRA is carried out.

Each EIRA will usually be undertaken by a minimum of three people, to help provide different perspectives, to positively challenge how things are done, and to ensure a fair, open and honest assessment.

All CCG policies are regularly reviewed, which also includes a review of the EIRA, to ensure any changes to the potential impact on key equality groups are kept up to date and monitored.

## 12. Support for Individuals

**12.1.** The CCG is committed to providing support and considering all requests for reasonable adjustments from people within any of the nine protected characteristics groups, to enable them to fulfil their role effectively and with confidence. There are many ways in which this might be achieved, but some examples could include:

- Making adjustments to working hours, patterns of work, working practices & tools to enable an individual with a disability to fulfil their role.
- Arranging areas for prayer and contemplation, to enable employees to practice their religious belief without fear of intimidation.
- Exploring flexible working to support employees who have particular caring responsibilities, or specific cultural or religious needs.

### 12.2. Gender Identity

There are people who do not identify with the gender they were born with. This is a recognised medical condition known as gender dysphoria. The terms transgender or trans people describe the diverse ways that people find their gender identity differs from the gender they were labelled at birth. Transgender people and those going through gender reassignment are protected from discrimination under the Equality Act, and a person does not need to be undergoing medical supervision to be protected. e.g. a person who chooses to reassign his or her gender and lives permanently as the opposite sex without having any hormonal or surgical therapy is protected.

The CCG is fully committed to treating employees and applicants who are transgender both fairly and with respect, and to supporting transgender employees at work. This includes:

- Welcoming and being supportive of different forms of gender identity and expression.
- Providing support for individuals undergoing gender transitions.
- Maintaining confidentiality of personal records.

The CCG commits to working with each transgender person as an individual, to explore and agree an approach to supporting them in the workplace which will work best for them, seeking advice and guidance from reputable expert agencies such as ACAS and Stonewall as required.

### **12.3. Human Resources (HR) Policies & Procedures**

HR policies and procedures are core to how the CCG implements its approach to equality, diversity, and inclusion. The CCG is committed to applying all its HR policies fairly and consistently, in support of its commitment to eliminate discrimination, advance equality of opportunity and foster good relations. This includes, but is not limited to:

- Terms and conditions of employment
- Recruitment & selection
- Development opportunities
- Appraisals
- Promotions & secondments
- Retirement & termination
- Job evaluation
- Performance management
- Flexible Working requests

### **12.4. Recruitment & Selection**

The CCG is committed to applying its recruitment and selection procedures fairly and equitably. We will do this by ensuring that:

- All vacancies are advertised widely via NHS Jobs.
- Literature relating to advertisements, job descriptions etc., is made available in alternative formats upon reasonable request, e.g. different languages, large print, Braille.
- All adverts include the Disability Confident Employer logo, which recognises the CCG's commitment to recruiting and retaining disabled employees.
- No job applicant is disadvantaged by job requirements which cannot be objectively justified.
- Selection criteria for all posts are clearly defined, objective and job related.
- Information is collected, on the application form, from candidates with regard to any protected characteristics they may have. This information to be used for statistical reporting, informing the provision of reasonable adjustments for people with a disability, to enable monitoring of equal opportunities, and to enable action planning for quality improvements.
- All candidates are compared objectively against the selection criteria, and processes are consistently applied to ensure fairness and prevent discrimination.

- All applicants who have declared a disability under the Disability Confident scheme, and meet the essential criteria for the post, are offered an interview.
- Reasonable adjustments are made to assist a candidate with a disability during the recruitment process to compete on an equal basis.
- Interview questions relate to the selection criteria for the job role, including the CCG's Values
- Individuals are selected and treated solely on the basis of merit and abilities which are appropriate to the job.
- Monitoring systems are maintained to enable the CCG to review its achievement of equality of opportunity in recruitment and selection practices and take action where necessary.

### **12.5. Absence Management**

The CCG is committed to being fair and consistent in its approach to managing employee sickness absence (and other absences, where applicable). The CCG will do this by:

- Ensuring that an individual's ability and fitness for work is measured using objective criteria.
- Recognising that some sickness absence may result from disability.
- Taking into consideration whether any reasonable adjustments could be made to the requirements of a job, or working arrangements, to support attendance or a return to work.

### **12.6. Management of Bullying, Harassment or Discrimination**

The CCG is committed to ensuring that all complaints of discrimination, harassment or bullying are taken seriously. The CCG will achieve this by:

- Making employees aware of their rights and responsibilities within these policies, and ensure they know how to raise concerns around harassment, bullying or victimisation.
- Ensuring all complaints of discrimination, harassment and bullying are responded to promptly and confidentially.
- Managing any unacceptable behaviour, discrimination, harassment or bullying in accordance with the CCG's Dignity & Respect at Work policy.
- Ensuring that employees who have, in good faith, raised concerns under the Grievance Procedure are not victimised or do not receive less favourable treatment than any other employee.
- Taking appropriate disciplinary action in cases of proven discrimination, victimisation, harassment, or bullying of other employees or service users, and any associated vexatious claims.
- Providing training to managers to handle these matters effectively, fairly and consistently.
- Monitoring all grievance and disciplinary cases, and incidents of harassment or bullying, to identify any trends or groups of individuals who may be being unfairly adversely affected.

### **12.7. Learning & Development**

The CCG recognises the importance of having employees who are fully trained to meet the requirements of their role. The CCG is committed to ensuring all employees have access to appropriate development to enable them to perform effectively in their roles, and to support their career development, irrespective of any protected characteristics they may have. The CCG will do this by:

- Ensuring all employees receive an annual appraisal, in which development needs and career aspirations are explored.
- Publicising information on learning, training, and development opportunities widely throughout the CCG.
- Ensuring that selection processes and criteria for development opportunities are open, fair, transparent and do not unfairly discriminate.
- Using venues for training which are accessible for people with disabilities, as far as reasonably practicable.

### **12.8. Dismissals & Redundancies**

The CCG is committed to ensuring that any decision to dismiss or make an employee redundant will be taken fairly and objectively, based on business needs and on the individual's performance/skills.

Any such process will be undertaken in line with the relevant CCG policies/procedures.

### **12.9. Promotion Opportunities**

The CCG is committed to all potential opportunities for promotion being advertised openly, and in line with normal recruitment processes. Employees seeking promotion are eligible to apply in the usual way.

### **12.10. Employee Data**

To enable monitoring of equality data, all employees are encouraged to provide personal information in relation to the nine protected characteristics, which is held confidentially in ESR. This is usually collected upon recruitment. Employees are also encouraged to keep their own personal information up to date on ESR, and periodic reviews of this data take place to ensure accuracy.

### **12.11. Positive Action**

The CCG may also, from time to time and in accordance with current legislation and case law, apply positive action to ensure that any disadvantaged or under-represented individuals and groups are supported (e.g. through training and development) to ensure equality of access to promotion and career development opportunities.

## **13. Due Regard**

**13.1.** This policy has been reviewed in relation to having due regard to the Public Sector Equality Duty (PSED) of the Equality Act 2010 to eliminate discrimination, harassment, victimisation; to advance equality of opportunity; and foster good relations between the protected groups.

## **14. Implementation and Dissemination of the Document**

**14.1.** This document has been fully ratified by the Finance, Performance and Resources Committee (Herefordshire CCG) and the Clinical Executive Team (Worcestershire CCGs) and will be published and made available to all employees via the CCG intranet.

## **15. Monitoring and Review**

**15.1.** The policy will be reviewed in line with the review date or before in the case of where there are legislative changes. Monitoring of the policy will be carried out by Corporate Governance.

**APPENDIX 1**

**Herefordshire & Worcestershire STP - Equality Impact Assessment (EIA) Form**  
**Please read EIA guidelines when completing this form**

**Section 1 - Name of Organisation (please tick)**

Herefordshire & Worcestershire STP	<input type="checkbox"/>	Herefordshire Council	<input type="checkbox"/>	Herefordshire CCG	<input type="checkbox"/>
Worcestershire Acute Hospitals NHS Trust	<input type="checkbox"/>	Worcestershire County Council	<input type="checkbox"/>	Worcestershire CCGs	<input type="checkbox"/>
Worcestershire Health and Care NHS Trust	<input type="checkbox"/>	Wye Valley NHS Trust	<input type="checkbox"/>	Other (please state)	<input type="checkbox"/>

<b>Name of Lead for Activity</b>	
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<b>Details of individuals completing this assessment</b>	<b>Name</b>	<b>Job title</b>	<b>e-mail contact</b>
<b>Date assessment completed</b>			

**Section 2**

Activity being assessed (e.g. policy/procedure, document, service redesign, policy, strategy etc.)	<b>Title:</b>			
What is the aim, purpose and/or intended outcomes of this Activity?				
Who will be affected by the development & implementation of this activity?	<input type="checkbox"/>	Service User	<input type="checkbox"/>	Staff
	<input type="checkbox"/>	Patient	<input type="checkbox"/>	Communities
	<input type="checkbox"/>	Carers	<input type="checkbox"/>	Other _____
	<input type="checkbox"/>	Visitors	<input type="checkbox"/>	
Is this:	<input type="checkbox"/> Review of an existing activity <input type="checkbox"/> New activity <input type="checkbox"/> Planning to withdraw or reduce a service, activity or presence?			

What information and evidence have you reviewed to help inform this assessment? (Please name sources, eg demographic information for patients / services / staff groups affected, complaints etc.	
Summary of engagement or consultation undertaken (e.g. who and how have you engaged with, or why do you believe this is not required)	
Summary of relevant findings	

### **Section 3**

Please consider the potential impact of this activity (during development & implementation) on each of the equality groups outlined below. **Please tick one or more impact box below for each Equality Group and explain your rationale.** Please note it is possible for the potential impact to be both positive and negative within the same equality group and this should be recorded. Remember to consider the impact on e.g. staff, public, patients, carers etc. in these equality groups.

<b>Equality Group</b>	<b>Potential <u>positive</u> impact</b>	<b>Potential <u>neutral</u> impact</b>	<b>Potential <u>negative</u> impact</b>	<b>Please explain your reasons for any potential positive, neutral or negative impact identified</b>
<b>Age</b>				
<b>Disability</b>				
<b>Gender Reassignment</b>				
<b>Marriage &amp; Civil Partnerships</b>				
<b>Pregnancy &amp; Maternity</b>				
<b>Race including Traveling Communities</b>				
<b>Religion &amp; Belief</b>				

Equality Group	Potential <u>positive</u> impact	Potential <u>neutral</u> impact	Potential <u>negative</u> impact	Please explain your reasons for any potential positive, neutral or negative impact identified
Sex				
Sexual Orientation				
Other Vulnerable and Disadvantaged Groups (e.g. carers; care leavers; homeless; Social/Economic deprivation, travelling communities etc.)				
Health Inequalities (any preventable, unfair & unjust differences in health status between groups, populations or individuals that arise from the unequal distribution of social, environmental & economic conditions within societies)				

**Section 4**

What actions will you take to mitigate any potential negative impacts?	Risk identified	Actions required to reduce / eliminate negative impact	Who will lead on the action?	Timeframe
<b>How will you monitor these actions?</b>				
<b>When will you review this EIA?</b> (e.g in a service redesign, this EIA should be revisited regularly throughout the design & implementation)				

**Section 5** - Please read and agree to the following Equality Statement

**1. Equality Statement**

1.1. All public bodies have a statutory duty under the Equality Act 2010 to set out arrangements to assess and consult on how their policies and functions impact on the 9 protected characteristics: Age; Disability; Gender Reassignment; Marriage & Civil Partnership; Pregnancy & Maternity; Race; Religion & Belief; Sex; Sexual Orientation

1.2. Our Organisations will challenge discrimination, promote equality, respect human rights, and aims to design and implement services, policies and measures that meet the diverse needs of our service, and population, ensuring that none are placed at a disadvantage over others.

1.3. All staff are expected to deliver services and provide services and care in a manner which respects the individuality of service users, patients, carer’s etc, and as such treat them and members of the workforce respectfully, paying due regard to the 9 protected characteristics.

<b>Signature of person completing EIA</b>	
<b>Date signed</b>	
<b>Comments:</b>	
<b>Signature of person the Leader Person for this activity</b>	
<b>Date signed</b>	
<b>Comments:</b>	

## Herefordshire and Worcestershire CCGs Addendum to the Equality Impact Analysis

### Human Rights Consideration:

NHS organisations must ensure that none of their services, policies, strategies or procedures infringes on the human rights of patients or staff. You should analyse your document using the questions provided to determine the impact on human rights. Using human rights principles of fairness, respect, equality, dignity and autonomy as flags or areas to consider is often useful in identifying whether human rights are a concern.

Can you please answer the following Human Rights screening questions:

	Human Rights	Yes/No	Please explain
1	Will the policy/decision or refusal to treat result in the death of a person?		
2	Will the policy/decision lead to degrading or inhuman treatment?		
3	Will the policy/decision limit a person's liberty?		
4	Will the policy/decision interfere with a person's right to respect for private and family life?		
5	Will the policy/decision result in unlawful discrimination?		
6	Will the policy/decision limit a person's right to security?		
7	Will the policy/decision breach the positive obligation to protect human rights?		
8	Will the policy/decision limit a person's right to a fair trial (assessment, interview or investigation)?		
9	Will the policy/decision interfere with a person's right to participate in life?		

If any Human Rights issues have been identified in this section, please get in touch with your Equality and Inclusion lead who will advise further and a full Human Rights Impact Assessment maybe required to be completed.