

## Hesley Group Single Equality Scheme

Everyone receiving a service from, or being employed by Hesley Group will receive fair and equal treatment based on their abilities or needs, in all aspects of our employment and service provision.

Hesley Group prohibits acts of unlawful or unjustifiable discrimination.

### **1 Introduction**

Hesley Group respects the fundamental human right of every person not to be discriminated against on the grounds of Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation. Direct and/or indirect, associated or perceived discrimination, harassment or victimisation will not be tolerated within the workplace, or in the way services are delivered or functions and duties carried out. Hesley Group is committed to promoting equality of opportunity, eliminating unlawful discrimination and promoting community cohesion within our services. We will seek to protect the right of everyone not to be discriminated against and work to ensure equality of opportunity for all, so that each person is supported to realise their potential.

The aims of this scheme are to ensure that all individuals who receive a service from Hesley Group receive one that is delivered in a way that meets their needs and protects them from discrimination and harassment, also that all staff working for Hesley Group and all other partners take account of, make reasonable adjustments for, and celebrate people's diverse needs. To support this Hesley Group will do the following:

- 1 Clarify for people supported by Hesley Group services (children, young people and adults), their families and carers, all staff and other partners, Hesley Group's position, understanding and application of equality and diversity in practice.
- 2 Provide a clear statement of principles in relation to Hesley Group's vision for an equal and inclusive provision of services and employment and demonstrates how the application of equalities and diversity good practice necessarily underpins the values of the organisation.
- 3 Outline Hesley Group's duty to comply with relevant legislation and other statutory requirements and makes public its commitment to go beyond basic compliance wherever possible, in order to improve the delivery of equality and diversity in the services provided and in the workplace.

## Policy No: Corp 9.1

- 4 Identify key groups that are most likely to experience ongoing discrimination and disadvantage.
- 5 Summarise how Hesley Group will ensure that equality and diversity is integral to all of its work at every level, informing service planning, workforce management and engagement with the wider community.

## 2 Underpinning Values

Hesley Group's understanding of 'Equality and Diversity' is underpinned by the following values:

- 1 Fairness: We understand equality to be about fair and equal treatment but we acknowledge the need to move beyond just treating everyone the same and providing 'like for like'. This may mean responding to individuals differently, in order to meet their needs or address differing levels of disadvantage and discrimination in an essentially unequal society.
- 2 Dignity: We also understand equality to be linked to the dignity and worth of each individual. It is particularly important to identify, manage and prevent incidents of discrimination or harassment which, under Human Rights legislation, are judged to be an affront to people's dignity.
- 3 Recognising and valuing difference: We understand that we need to treat everyone as an individual.
- 4 Understanding: Our commitment to manage and value diversity includes the belief that employing a diverse and representative workforce will allow for better engagement and understanding of the needs of people supported by Hesley Group services.
- 5 Promoting diversity: Promoting the benefits of a diverse service helps to break down barriers and the negative attitudes, created through lack of understanding, misinformation and fear of the 'other' and helps to promote workforce cohesion and good working relationships.
- 6 Code of Conduct: All Hesley Group employees are themselves bound by the Code of Conduct for Hesley Group Employees, which is explicit in its obligations, that "all Hesley Group staff must not discriminate unlawfully or unjustifiably against people who use our services, carers or colleagues. You must at all times respect people's diversity and not discriminate on the grounds of Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation. It is likely to be unlawful to do so unless this is a proportionate means of achieving a legitimate aim. If you do not understand any of these issues please talk it through with your manager".

### 3 Implementation

Hesley Group understands that inequality and issues of discrimination are part of a broad and complex social context. The implementation of this policy seeks to achieve this focus through our core functions:

- 1 Service Delivery:** Provide personalised services and make reasonable adjustments to the way in which all our services are delivered where necessary, to ensure equality of access and create a culture and environment free from discrimination, harassment, bullying, victimisation or intimidation.

Ensure equal access to Hesley Group's compliments, concerns and complaints procedure and monitor those who use it in order to identify potential areas of inappropriate service or discrimination.

Take appropriate action as a result of feedback gained.

Provide a safe and accessible living and social environment that values and respects the identity of each individual and which encourages each person to reach their full potential.

- 2 Employment Practice:** Equal and fair treatment and the recognition of the diverse needs of our workforce by seeking to employ a workforce which is, at all levels, and as much as possible representative of the people using our service and monitoring accordingly.

Ensuring recruitment processes actively encourage applications from all groups in the community.

Implementing and monitoring the application of recruitment and selection processes that avoid unlawful discrimination to ensure consistent and effective application and to promote equality of opportunity.

**Positive action** may be used in the appointment process as a **tie-breaker between candidates of equal merit**. Any use of positive action will only be lawful if:

- The candidate is appointed on merit – the candidate must be as qualified as any other candidate to be appointed. A candidate cannot be appointed just because he or she has a particular protected characteristic, such as being from an ethnic minority
- The employer does not have a general policy of always favouring people with certain protected characteristics
- Any action taken by the employer is a proportionate means of achieving the aim of addressing disadvantage or under-representation in the workforce (Please see Further Information: Equality Act - A Step by Step Practical Guide to using Positive Discrimination January 2011 TSO)

## Policy No: Corp 9.1

Aiming to ensure opportunities for and access to learning and career development are provided fairly.

Providing a safe and accessible working environment that values and respects the identity of each individual and which encourages each person to reach their full potential.

Creating a culture and working environment free from discrimination, harassment, bullying, victimisation or intimidation.

Where the requirements of service delivery are not compromised, ensuring that all staff have access to flexible working and that the benefits of a work-life balance are recognised.

Ensuring we regularly review equalities and diversity training needs. This is to equip the workforce with the necessary skills and understanding to work within a diverse environment.

Ensuring that access to information and data is as open and transparent as is possible.

Encouraging two-way communication between staff and managers and seek to listen to and involve all employees.

Wherever possible, consulting with representative groups of staff on any proposed changes to employment practice.

Ensuring that all Human Resource employment policies are regularly reviewed and cross-referenced with this document and that all new Human Resource policies are assessed for potential negative differential impact on certain groups of staff and action is taken where necessary.

## 4 Key Groups: The Nine Strands of Diversity (Protective Characteristics)

Hesley Group is committed to tackling discrimination and promoting equality under all the protected characteristics detailed in the Equality Act and which were previously protected under discrimination laws in Great Britain. The protected characteristics are:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation

The different types of discrimination are:

## Policy No: Corp 9.1

Direct discrimination occurs when the reason for a person being treated less favourably than another is a protected characteristic or because of their association with someone else who possesses that characteristic.

Indirect discrimination occurs where a provision, criterion or practice (PCP) is applied to all but that particular PCP disadvantages people who possess a particular protected characteristic and it cannot be justified.

Harassment refers to unwanted conduct related to a protected characteristic with the purpose or effect of violating dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Victimisation occurs where a person (A) victimises another person (B) if A subjects B to a detriment because B does a protected act or A believes that B has done, or may do, a protected act. For example B may be considering bringing discrimination proceedings or giving evidence in relation to such proceedings.

## 5 Evaluation Monitoring and Review

Five key stages are used by local authorities to assess their performance in relation to Equality and Diversity. Hesley Group has made a decision to adopt a similar framework. The five key stages are as follows:

- Level 1: Commitment to a Comprehensive Equality Policy
- Level 2: Assessment and Consultation
- Level 3: Setting equality objectives and targets
- Level 4: Information systems and monitoring against targets
- Level 5: Achieving and reviewing outcomes

The overall implementation of this policy will be monitored by the Head of Policy and Regulation and Hesley Group Human Resources Manager, who will report when required to the Chief Executive. There will be a robust and clear equalities interface with all other key policies and strategies. There will be a review of this Equality Scheme every three years or at the introduction of relevant new legislative requirements.

## 6 Statutory Duties

The Equality Act 2010 repealed and replaced a wide range of equality and human rights based legislation. Hesley Group will comply with all current equality and human rights driven legislation including:

- The Equality Act 2010
- The Human Rights Act 1998
- The Gender Recognition Act 2004
- All European Regulations and Directives

**Policy No: Corp 9.1**

Date of this Policy	Next planned review date
29/11/2018	29/11/2020

**7 Standard Forms, Letters and Documents**

- 7.1 [Practice Guidance – Disability Discrimination Duties - People supported by Hesley Group Services and Hesley Group Employees, Corp 9.1.1](#)
- 7.2 [Accessibility Procedures - Fullerton House School and Wilsic Hall School, Corp 9.1.2](#)
- 7.3 [School Accessibility Plan, Corp 9.1.3](#)
- 7.4 [School Premises Accessibility Assessment Document, Corp 9.1.4](#)

**8 Other relevant documents**

- 8.1 [Hesley Group Code of Conduct for Employees, Policy Per 4.9](#)
- 8.2 [Recruitment, Selection & Appointment of Support Workers & APS Workers using CARES Values Based Recruitment, Per 2.1](#)
- 8.3 [All Other Employees - Recruitment, Selection and Appointment, Per 2.1A](#)
- 8.4 [Flexi-Time Policy, Policy Per 5.6](#)
- 8.5 [Staff Learning and Development, Policy Per 3.1](#)
- 8.6 [Referrals, Assessments, Contracts and Admissions for Children's and Adult Services, ReS 1.1](#)
- 8.7 Equality Act 2010: A Step by Step Practical Guide to using Positive Action when Making Appointments, January 2011 (TSO)  
<http://www.equalities.gov.uk/pdf/PositiveActionstepbystepguide.pdf>
- 8.8 Equality Act Web site - [www.equalities.gov.uk](http://www.equalities.gov.uk)
- 8.9 Equality and Human Rights Commission website - [www.equalityhumanrights.com](http://www.equalityhumanrights.com)
- 8.10 Equality Act 2010 and Schools – What Teachers Need to know  
[http://www.legislation.gov.uk/ukxi/2015/64/pdfs/ukxi\\_20150064\\_en.pdf](http://www.legislation.gov.uk/ukxi/2015/64/pdfs/ukxi_20150064_en.pdf)
- 8.11 The Equality Act 2010 – guidance for employers, ACAS  
<http://www.acas.org.uk/media/pdf/8/a/Equality-Act-2010-guide-for-employers.pdf>