

Equality, Diversity and Inclusion Policy

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DOCUMENT TRACKING SHEET

Equality, Diversity and Inclusion Policy

Version	Status	Date	Issued by	to/approved	Comments
5.0	December 2022 Policy was archived and included within the Staff Handbook – Our People Policies. Decision made to separate all policies and re-instate as individual policies in April 2023				
5.1	Draft	May 2023			Review of document to ensure it is up to date and fit for purpose
6.0	Approved	May 2023	Joint Negotiating Forum/ Chief People Officer		Approved Assurance given to Workforce and OD Committee – July 23

REFERENCES

[Employment Act 2002](#)
[ACAS Code of Practice 2003](#)

RELATED POLICIES/PROCEDURES/protocols/forms/leaflets

Trans Equality in the workplace Policy	
Gender Identity transitioning at work policy	

SUMMARY OF CHANGES

Date	Author	Page	Changes (brief summary)

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1 WHAT THE POLICY COVERS

- 1.1 KMPT embraces equality and diversity in the workplace and aims to attract and retain the best talent by creating a fully inclusive place to work
- 1.2 This policy will:
 - Inform employees what support is available for them should they feel that they have not been treated in the way that they would expect of an inclusive and supportive employer.
 - Help employees understand their responsibilities during recruitment to ensure that our recruitment processes are inclusive.

2 TYPES OF DISCRIMINATION

- 2.1 **Direct discrimination:** where someone is treated less favourably than someone else is or would be on the grounds of any of protected characteristics (e.g. race, religion or belief, disability, age, sexual orientation, gender, marriage/civil partnership, gender reassignment, pregnancy/maternity.)
- 2.2 **Indirect discrimination:** where someone is treated less favourably than someone else, where there is a rule or policy that applies to everyone but disadvantages a person with a particular protected characteristic.
- 2.3 **Harassment:** when someone exhibits unwanted conduct or behaviour related to a protected characteristic, which has the purpose, or effect of violating dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for another person. Unwanted conduct of a sexual nature, which has the purpose, or effect of violating dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for another person or being treated less favourably as a result of rejecting or submitting to unwanted conduct of a sexual nature may also be harassment.
- 2.4 **Third party harassment:** where an employee is harassed relating to a protected characteristic by third parties such as patients, visitors or suppliers.
- 2.5 **Victimisation:** when someone is treated badly because they have made a complaint about discrimination.
- 2.6 **Hate Crime**
Details of KMPT's hate crime policy is contained in a separate document however it is appropriate in this policy to highlight that a procedure has been developed to give assurances to employees and patients that hate crime is recognised, not tolerated, and provides framework to address and prevent hatred and discrimination across KMPT.
- 2.7 Major underlying factors of hatred, prejudice, harassment and abuse are as a result of fear, ignorance and lack of understanding. All employees have a responsibility to challenge, report and have a general awareness and understanding of what a hate crime or hate incident is.

3 PRINCIPLES

- 3.1 KMPT is fully committed to adopting and promoting the key principles of equality, diversity and inclusion within this policy and will ensure that all policies and procedures do not discriminate.
- 3.2 KMPT will embed equality standards in everything it does and seeks to promote the principles of equality, diversity and inclusion in all its dealings with employees, job applicants, patients, visitors, contractors, recruitment agencies and the public.
- 3.3 KMPT is committed to ensuring that no employee or job applicant is subject to unlawful discrimination, either directly or indirectly, on the grounds of any protected characteristics.
- 3.4 Concerns relating to Civility, Dignity and Respect, including complaints of discrimination, bullying and harassment should be raised and addressed using the Civility, Dignity and Respect Policy.
- 3.5 Details of KMPT's recruitment procedure is contained in a separate document however it is appropriate in this policy to confirm that the procedure is intended to result in the selection of the most suitable person for the post, in a fair manner, without discrimination in relation to their protected characteristics.
- 3.6 Vacancies within KMPT will be advertised via the NHS Jobs website (www.jobs.nhs.uk) or on the KMPT intranet vacancy page, unless there are compelling reasons for not doing so; such as consideration of displaced individuals within KMPT or financial factors relating to particular posts. If employees need forms in large print or if further assistance is required with regards to completing application forms they should contact the Recruitment Department. (01227 459371)
 - Advertisements will be free from discriminatory bias and in line with the provisions of this policy. All advertisements will contain a statement confirming KMPT's commitment to equal opportunities.
 - Interviews will be free from discriminatory bias and in line with the provisions of this policy. All requests for additional requirements for disabled interviewees should be made to the recruitment department so that arrangements to meet those requests are made.
 - This applies to all aspects of employment, including recruitment and selection, training, promotion opportunities, terms and conditions of employment, handling of concerns, application of disciplinary/improving conduct procedures and selection for redundancy.

4 RESPONSIBILITIES

- 4.1 All employees and those who act on KMPT's behalf are required to adhere to this policy when undertaking their duties or when representing KMPT.
- 4.2 Every employee has a responsibility to bring anything that could be deemed as discrimination to their manager's attention.
- 4.3 KMPT's managers are responsible for ensuring practical application of this policy at a local level and they are expected to actively promote high standards of equality, diversity and

inclusion. Managers should follow the Civility, Dignity and Respect policy, for resolving any concerns raised to them.

- 4.4 The Equality, Diversity and Inclusion Manager will lead on the equality, diversity and inclusion agenda for employees and will develop, monitor and add value to KMPT's equality, diversity and inclusion strategic framework.
- 4.5 The Equality, Diversity and Inclusion Team will be responsible for being available to staff for consultation on concerns regarding equality, diversity and inclusion. Their contact details can be found on iConnect.
- 4.6 The Employee Relations department has a specific responsibility to ensure the promotion of equality, diversity and inclusion through its employment practices, policies and procedures.
- 4.7 Every employee is responsible for contributing towards a working environment that promotes equality, diversity and inclusion.
- 4.8 Each employee must report to an appropriate person any instances of behaviour that they are aware of that contravene this policy's principles.
- 4.9 **Staff networks**
Staff networks are communities that provide a collective voice, peer support and guidance, helping to promote innovation and create constructive channels of communication. They play a crucial role in helping KMPT to deliver its goals.
- 4.10 KMPT is committed to supporting its staff networks with executive sponsorship and ensuring that their voices are heard at Board level.

5 POLICY IN PRACTICE

- 5.1 This policy sets out the appropriate channels for dealing with cases of discrimination and/or behaviour that does not support the equality, diversity and inclusion principles at KMPT.
- 5.2 **Raising a concern**
 - 5.2.1 KMPT treats seriously all concerns raised in respect of discrimination.
 - 5.2.2 Should employees wish to raise a concern under this policy there are a number of ways in which to do this:
 - An informal discussion between the employee raising concerns and their manager.
 - Seeking advice and guidance from Employee Relations.
 - Freedom to Speak Up Guardian (FTSU) and Ambassadors.
 - Equality Diversity and Inclusion team.
 - Staff networks.
- 5.3 **Response and support**
 - 5.3.1 There are a number of ways that KMPT can support employees with their concerns including both informal and formal routes.
 - Provide assistance with informal discussions.

- Investigate and undertake formal measures.
- 5.3.2 Allegations regarding potential breaches of this policy will be treated in confidence and investigated thoroughly and objectively, in line with the Civility, Dignity and Respect Policy. If an employee makes an allegation of discrimination which cannot be resolved informally, KMPT is committed to ensuring that employees are protected from victimisation, harassment or less favourable treatment because they have raised a concern.

5.4 Equality Impact Assessment (EIA)

- 5.4.1 An EIA is essential when reviewing or devising new policies, procedures or services, to ensure that no employee, patient or visitor is discriminated against or are negatively affected.
- 5.4.2 The EIA is designed to take into consideration how the policy, procedure or service is likely to impact on all people while additional focus is required to ensure equality for those with protected characteristics.
- 5.4.3 The 9 protected characteristics are:
- Age
 - Disability
 - Gender reassignment
 - Marriage and civil partnership
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual Orientation

6 EQUALITY IMPACT ASSESSMENT

- 6.1 The Equality Act 2010 places a statutory duty on public bodies to have due regard in the exercise of their functions. The duty also requires public bodies to consider how the decisions they make, and the services they deliver, affect people who share equality protected characteristics and those who do not. In KMPT the culture of Equality Impact Assessment will be pursued in order to provide assurance that the Trust has carefully considered any potential negative outcomes that can occur before implementation. The Trust will monitor the implementation of the various functions/policies and refresh them in a timely manner in order to incorporate any positive changes.

7 HUMAN RIGHTS

- 7.1 The Human Rights Act 1998 sets out fundamental provisions with respect to the protection of individual human rights. These include maintaining dignity, ensuring confidentiality and protecting individuals from abuse of various kinds. Employees and volunteers of the Trust must ensure that the trust does not breach the human rights of any individual the trust comes into contact with.