



Equality & Diversity in Employment Policy

Policy Number	EDIE001
Target Audience	CCG Staff
Approving Committee	CCG Executive
Date Approved	August 2014
Last Review Date	August 2014
Next Review Date	August 2016
Policy Author	CSU People's Services
Version Number	Final

The CCG is committed to an environment that promotes equality, embraces diversity and respects human rights both within our workforce and in service delivery. This document should be implemented with due regard to this commitment.

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Version Control Sheet

Version	Date	Reviewed By	Comment
Draft v0.1	10/4/14	Staff Forum	Via email for comment at May meeting
Draftv0.2	30/7/14	Executive	
Final	August 2014	Executive	Approved

Analysis of Effect completed:	By:	Date:
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1. Introduction

1.1. This is the Equality and Diversity in Employment Policy of NHS Bolton Clinical Commissioning Group (The CCG). It sets out the aims of the organisation to ensure equitable and fair outcomes for the employees for whom we have responsibility. The legal framework for the policy includes the Equality Act 2010 and its associated Public Sector Equality Duty; the NHS Constitution and the Human Rights Act 1998. The Equality and Human Rights Commission's statutory code of guidance for employment has also been followed in preparing this policy.

These laws mandate all UK public sector bodies, however for Clinical Commissioning Groups, there are additional policy instruments which are important; for example, the Care Quality Commission authorisation process and the NHS Equality Delivery System.

This policy should be read alongside the CCG's Equality, Diversity and Human Rights Strategy 2014-2017 – which focuses mainly on the CCG's service planning and commissioning functions – and the annual workforce report which gives details of the organisation's employment profile and performance.

1.2. Having a published policy for equality and diversity in employment has a number of distinct advantages:

- it gives job applicants and employees confidence that they will be treated equitably and with dignity and respect;
- it sets standards of behaviour expected of all employees and outlines what employees and job applicants can expect from the employer;
- it supports employers and others to comply with their legal obligations;
- it can minimise the risk of legal action being taken against employers and employees;

and/or

- if legal action is taken, employers may use the equality and diversity policy to demonstrate to an Employment Tribunal that they take discrimination seriously and have taken reasonable steps to prevent discrimination.

The business case for the policy is also important – this is summarised at 1.4 below.

1.3. The CCG serves one of the most diverse and changing populations in the North West of England. In all of our work we will aim to meet the needs of our patient population by commissioning appropriate health services, which are accessible to everyone, delivered in a way that respects the needs of each individual, and does not exclude anyone, whatever their background. Similar principles apply in our relationships with our employees.

We aim to ensure that our employees are representative of the diverse communities we serve, as we believe that this will give us the best possible chance of achieving our equality aims. Our employees are our greatest resource, and we will work hard to promote equality of opportunity for

everyone in our organisation.

1.4. The development of this policy supports the CCG in meeting its legal and regulatory responsibilities for equality, diversity and human rights. These are detailed below at 3.1. However, compliance also makes good business sense for the organisation, for example:

- An organisation that is able to provide services to meet the diverse needs of its users should find that it carries out its core business more effectively
- An organisation which creates a supportive working environment for its employees is more productive
- Many organisations have also found it beneficial to draw on a broader range of talent and to better represent the community that they serve
- Diversity also results in better informed decision-making and policy development
- Overall, the result can be services that are more appropriate to a wide range of service users and services that are more effective and cost-effective. This should lead to increased satisfaction with public services.

2. The CCG's mission and values

2.1. Bolton CCG has an ambitious vision to deliver fully integrated care across health and social care services, with primary care based firmly at the centre of this model. One where the patient is treated by the right professional at the right time in the right setting, to achieve the best possible outcome for that individual.

2.2. By the end of 2018/19, we aim to achieve the following outcomes:



2.3. In delivering our vision, the CCG recognises the importance of recruiting, developing and retaining a workforce which reflects the diversity of our communities and which is competent to respond effectively to their different health and wellbeing needs.

3. Equality and diversity in employment - legal and statutory basis

3.1. The CCG, like all healthcare organisations in the UK, needs to achieve compliance with its legal and regulatory requirements. The following are all crucial in shaping and influencing this and associated policy statements on equality, diversity and human rights in employment:

- The Equality Act 2010 and the Public Sector Equality Duty.
- The NHS Equality Delivery System.
- The NHS Constitution, as re-affirmed in 2012.
- The Human Rights Act 1998 and the FREDA principles which underlie it.
- The Care Quality Commission's authorisation process for CCGs, including implementation of the NHS Equality Delivery System.

3.2. The Equality Act 2010 consolidated nearly forty years of UK equality and rights legislation and resulted in the repeal of many older laws such as the Race Relations and Disability Discrimination Acts. However, anomalies were removed and the principles in those previous Acts have survived and have been extended and reinforced in many cases.

3.3. The Act prohibits discrimination (i.e. less favourable treatment) on the basis of nine protected characteristics: race, disability, sex, gender reassignment, age, sexual orientation, religion/belief, pregnancy/maternity and marriage/civil partnership. Types of prohibited conduct include:

- Direct and indirect discrimination, victimisation and harassment.
- Combined discrimination: i.e. less favourable treatment because of a combination of two relevant protected characteristics.
- Failure to make reasonable adjustments for disabled persons.
- Discrimination arising from disability (e.g. from the need of an employee to take disability-related sick leave).
- Discrimination against a person who is associated with someone with a protected characteristic (e.g. by being a carer, a friend or partner).
- Discrimination because a person is perceived to have a protected characteristic (e.g. a heterosexual person who is perceived to be gay).

3.4. The Act permits employers to take positive action to overcome the effects of disadvantage experienced by a protected group (e.g. by meeting the specific needs of the group or by enabling or encouraging members of the group to participate in an activity where they are currently underrepresented). We will seek opportunities to take positive action measures in response to identified disadvantage operating within the workforce.

3.5. Examples of issues which may arise at work are set out below:

Race (including colour, nationality, ethnic or national origins)

- Refusing to recruit a Black worker to an all-White team is discriminatory, even if there was a genuine concern that she would feel uncomfortable.
- An employer may implement management development specifically for a particular ethnic group which is underrepresented in management.

Disability

- A wide range of physical and sensory impairments, learning difficulties, mental health and long term conditions are protected by the Act
- Employers have a duty to make reasonable adjustments to avoid discriminatory provisions, criteria, practices, physical features, by providing auxilliary aids, etc.
- An employee caring for a disabled child is protected from dismissal on the basis of needing to take time off to take the child to medical appointment.

Sex

- Women and men have the right to equal pay for equal work.
- Advertising a job as full-time could be indirectly discriminatory against women, who are more likely to work part-time or job share than men.

Gender reassignment

- A person proposing to undergo, undergoing or having undergone gender reassignment, is entitled to have any related absences treated no less favourably than absences due to sickness or injury.
- The Gender Recognition Act 2004 provides that a person with a gender recognition certificate must be treated according to their acquired gender.

Age

- Advertising for a “young graduate” could discriminate against older graduates.
- Requiring an unreasonable number of years’ experience could discriminate against younger potential applicants.

Sexual orientation

- It is unlawful to harass a person on the basis that they perceived to be gay, even if they are, in fact, heterosexual.

Religion or belief

- It is unlawful to discriminate against an employee because they are a Christian or because they are not a Christian.
- Dress codes (e.g. “no headwear”) could be discriminate against a particular religion or belief.

Pregnancy and maternity/adoption

- A woman on maternity/adoption leave retains the right to be consulted about changes to her work or about possible redundancy.
- On return from maternity/adoption leave, an employee has a right to return to the same job or an equivalent job.

Marriage and civil partnership

Civil partners are entitled to equal access to occupational pensions and “death in service” benefits, as for married couples.

- 3.6. The Act sets out an explicit duty for all public bodies, namely the **public sector Equality Duty**, which has three aims. Public bodies are required to pay due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
 - advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - foster good relations between people who share a protected characteristic and those who do not
- Implementing this duty is the principal way healthcare organisations can achieve compliance with equality laws and related regulatory requirements. We will use Equality Impact Assessments (or Equality Analyses) to assure ourselves that our key employment-related policies and practices meet the three aims of this duty. We will take action to avoid or minimise any likely adverse impacts identified.
- 3.7. To support this approach, the **NHS Equality Delivery System (EDS)** was developed within the NHS in 2010. The CCG has committed, in its Constitution, to implementing this. The EDS measures and assesses the performance of healthcare organisations and enables actions to be developed to improve their performance or to remedy any identified shortcomings. The CCG will develop an effective governance system for implementing the EDS, including in relation to its workforce and leadership goals.
- 3.8. The **NHS Constitution’s** first and third principles make some clear commitments:
- ‘The NHS provides a comprehensive service available to all irrespective of gender, race, disability, age, sexual orientation, religion or belief’.
- ‘The NHS aspires to the highest standards of excellence and professionalism ...in the people it employs, and in the support, education, training and development they receive...Respect dignity, compassion and care should be at the core of how patients and staff are treated not only because that is the right thing to do but because patient safety, experience and outcomes are all improved when staff are valued, empowered and supported’.
- In its Principles of Good Governance, NHS Bolton CCG Constitution 4.1) the CCG commits itself to upholding the NHS Constitution.
- 3.9. The **Human Rights Act 1998** brought, into UK law, 13 basic rights and a number of protocols contained in the European Convention on Human Rights. Public authorities (such as NHS organisations) have a duty to act compatibly with these rights, including in their role as employers of people. Such authorities must refrain from interfering with the human rights of an individual and are under a positive duty to proactively safeguard an

individual's human rights.

- 3.10. Some convention rights are of particular relevance to employment and below are some examples of how we will act compatibly with the Act:

Article 3 Right not to be tortured or treated in an inhuman or degrading way.

For example:

- we will protect employees from violent or abusive patients, colleagues or members of the public

Article 6 Right to a fair trial. For example:

- we will guarantee employees the right to a fair hearing in disciplinary, grievance and capability procedures and in appeals under these procedures

Article 8 Right to respect for private and family life, home and correspondence. For example:

- we will not unreasonably interfere with an employee's lifestyle choices, such as style of dress, having a family or joining a political party

Article 9 Freedom of thought, conscience and religion. For example:

- we will protect an employee's right to hold religious and other beliefs

- we will not unreasonably interfere with an employee's right to manifest such beliefs through worship, practice, teaching and observance

Article 10 Freedom of expression. For example:

- we will balance employee rights to freedom of expression with an employer's rights to manage the workplace, to protect confidentiality and trade secrets

Article 11 Freedom of assembly and association. For example:

- we will safeguard an employee's right to join a trade union or a professional association

Article 14 Right not to be discriminated against (in relation to the application of the other articles)

Further information is available on the website of the Equality and Human Rights Commission.

- 3.11. The Human Rights Act can also be seen as exemplifying the FREDA principles, meaning that service users, carers and employees can expect to be treated with: **F**airness, **R**espect, **E**quality, **D**ignity and **A**utonomy. We will promote these principles as a way for managers to assure themselves that their employment practice complies with the Act and demonstrates a human rights-based approach.

3.12. Treating people as individuals

The Equality Act 2010 requires us to eliminate discrimination, advance equality of opportunity and foster good relations on the basis of relevant “protected characteristics”. However, we understand that these characteristics do not fully describe any individual person or their experiences. Figure 1 shows why it is important to think about equality, diversity and human rights for individuals in a joined up way.

Figure 1: Treating People as individuals

	Race	Disability	Sex	Religion/ belief	Sexual Orientation	Age
Race	Lin is a Chinese woman with a learning difficulty					
Disability					Charles is an older gay man who has a physical impairment	
Gender			Jo is a trans person who has a strong religious faith			
Religion/ belief		Lloyd is a straight man with a long-term illness who is a humanist				
Sexual Orientation						
Age			Muna is a teenage girl who is a Muslim			

In prohibiting discrimination on the basis of a combination of two relevant characteristics, the Act goes some way towards recognising the multi-faceted ways in which people describe their identities.

4 Employment policy in context: equality, diversity and human rights in Commissioning

4.1 The CCG aims for an integrated approach to equality, diversity and human rights throughout its activities. This policy – focusing on employment – needs to be read alongside the Equality, Diversity and Human Rights Strategy 2013-2016 which sets out our wider aims in relation to the way we plan and commission services.

4.2 Both as a commissioner of health services and as an employer, we will monitor our progress towards eliminating discrimination on the basis of the characteristics protected by the Equality Act 2010. We will also pay due regard to patients’ nationality, caste or social class and maintain an awareness of the barriers to services faced by people at risk of stigma. This includes refugees and those seeking asylum; those who may misuse drugs or alcohol; sex workers; trafficked people and people living with certain mental health issues. The NHS Equality Delivery System supports this approach.

- 4.3 To realise these aims, we will implement a programme of positive action measures, review our progress and report annually on this. Use of the NHS Equality Delivery System will enable us to do this. We will consult and inform our employees, patient groups, local communities and partners about the progress we are making. Our employees have a particular responsibility for helping us to achieve our aims, and we will therefore provide training, education, support and information to enable them to do so.
- 4.4 In addition to achieving and in places, exceeding, compliance with legislation, the CCG has adopted three short term objectives (from April 2013): to improve data and intelligence; to influence providers in their equality outcomes and to enhance awareness of local NHS services among key groups in the community. These three objectives are to be reviewed after the first year of implementation – i.e. 2014.

5 The CCG's workforce policy aims

- 5.1 The CCG greatly values the contribution of its employees to the planning and commissioning of health services to our local communities. We are, therefore, committed to treating all employees with dignity, respect and consideration; to protecting their human rights; and to helping them to reach their full potential at work.
- 5.2 We acknowledge that, in the past, some National Health Service employees have experienced discrimination. The CCG commits itself to making every possible effort to ensure that, in the present and the future, no-one receives less favourable treatment on the grounds of their age, disability, ethnicity, race, gender, religion, belief, sexual orientation, gender identity, pregnancy, maternity or marital status. We will also avoid discrimination on the bases of: caring responsibilities, social class, trade union membership (or non-membership) or irrelevant criminal convictions.
- 5.3 Our aim is to create an organisation that actively promotes dignity, respect, diversity and equality of opportunity for all; and which is free from discrimination, harassment or victimisation of any sort. We are aware of the provisions of the relevant equality in employment legislation and accompanying codes of practice and will ensure that these are observed.
- 5.4 We believe that every employee has a unique range of skills, abilities and experiences, all of which will ultimately benefit the communities we serve. We recognise that employing people from a wide variety of backgrounds will bring to our organisation the widest possible range of skills, abilities and experience. It is therefore our aim to promote diversity in employment. We also seek to improve the core competencies of our workforce so that they develop the knowledge and skills to treat all colleagues and service users equitably and with dignity and respect.

- 5.5 We aim to employ a workforce that understands the issues faced by the communities we serve, and who take responsibility for ensuring that services received by our patients and service users are appropriate, accessible and responsive to their health needs. We undertake to routinely collect information about the composition of our local population, and use this as the basis for setting meaningful, realistic and achievable targets for the composition of our workforce.
- 5.6 We will identify and deliver training and development which offers our employees the opportunity to gain the knowledge and skills necessary to provide excellent, accessible services to everyone in the local community.
- 5.7 We welcome the fact that people bring to work a range of different work and personal styles and a wide range of different values, beliefs and attitudes. We are committed to creating a culture characterised by mutual respect, in which differences are appreciated and nurtured, whilst always ensuring that the organisation's values are upheld and that we abide by our legal obligations.
- 5.8 Good intentions alone will not bring the real and sustainable change we would like to see. The key to achieving our aims lies in taking action, in a range of areas, throughout our organisation. This is described in the sections that follow.
- 5.9 We will work collaboratively with strategic partners in the NHS and beyond in order to contribute to the development of a representative and competent workforce in the local health sector and to meet the aims of the public sector Equality Duty.
- 5.10 We will aim to adopt and implement good practice and standards which support us to meet the above policy aims, beginning with the Two Ticks disability equality symbol and assurance framework (national) and the NHS Bolton Charter of Ten Standards for Lesbian, Gay, Bisexual and Transgender Equality (local).

6 Responsibilities under the policy

All employees have responsibilities under this policy, whatever their role in the organisation.

6.1 All employees should:

- be aware of and understand this policy and behave in a way that is supportive of and consistent with this policy
- not discriminate unfairly in any area of work, including not harassing, bullying or otherwise intimidating other members of staff, and not induce other members of staff to discriminate
- report any behaviour by others which may be discriminatory or prohibited by the Equality Act 2010 or by the Human Rights Act 1998
- take personal responsibility for ensuring that knowledge and skills on equality, diversity and human rights issues are kept up to date, in line with any relevant competency framework used by the organisation
- inform a line manager if unfair discrimination is suspected or is taking place within the organisation.

6.2 Line managers and supervisors should:

- not discriminate unfairly within any area of employee management activity, including: recruitment, appraisal, selecting for training and other development opportunities, and in applying other CCG employment policies and practices
- not harass, bully or otherwise intimidate other employees
- take personal responsibility, as a role model, to ensure that best practice is adhered to at all times, and that all employees receive training and development which ensures that their knowledge and skills continually improve
- make employees aware of their responsibilities under this policy and discuss matters relating to equality, diversity and human rights in employment, regularly at team meetings
- listen to employees' concerns and take appropriate action.

6.3 The CCG Governing Body has overall responsibility for

- ensuring that this policy is fully implemented, that employees are aware of their responsibilities and do not discriminate or breach the human rights of others
- identifying and allocating a sufficient level of resources necessary to secure delivery of the policy
- establishing and supporting governance arrangements that will ensure that the policy is implemented, with progress measured, reviewed and evaluated
- demonstrating the values of equality and fairness at work through their own exemplary behaviour
- taking a lead role in ensuring that all service delivery and employment practices offer dignity and respect; and make a real difference to reducing inequalities in health outcomes and in employment.

7 Learning, development and dissemination of the policy

7.1 The CCG will disseminate this policy to employees at all levels of the CCG, as well as to all other organisations and individuals that have a working or contractual relationship with the CCG - such as general practitioners, providers and contractors and those working in partnership with the CCG.

7.2 All job applicants will be made aware of the policy. Signposting to this policy will be done via the website, job advertisements, application forms and other relevant promotional literature. This will indicate to job applicants and to the wider community the CCG's commitment to practising equality and achieving diversity in employment.

7.3 In addition:

- All new employees will receive information about this policy and their responsibilities as part of their induction to the CCG
- Existing employees will be briefed about the policy
- Progress reports and updates, including monitoring data, will be communicated to employees through relevant staff communications and to staff equality networks, where they exist.

8 Recruitment

Recruitment and selection procedures are critically important in achieving our aims.

The CCG will therefore take the following steps:

- All job opportunities in the organisation including secondments, will be advertised widely to all employees, for example via staff newsletters or e-mail.
- We will take positive action to ensure that information about job opportunities is publicised as widely as possible within local communities. This may involve advertising in media read or accessed by groups who are currently underrepresented in the workforce and by organising recruitment events within local communities, such as Job Shops.
- All recruitment decisions, including promotion decisions, will be made in accordance with person specification criteria which are fully objective and completely justifiable. The recruitment process will not commence until the criteria used are clearly described, fully justifiable, and amenable to measurement. Recruiters will be supported and advised in relation to the preparation of objective criteria.
- A formal record of all shortlisting decisions and interview notes will be maintained, including the reasons that candidates were or were not selected. These will be kept within the recruitment office for a minimum of six months. Job applicants are entitled to receive honest, accurate and helpful feedback from recruiters following their applications and/or interviews.
- We will aspire to ensuring that all those involved in recruiting and selecting staff have received recruitment and selection skills training. In the short term, we will aim to ensure that at least one member of each short-listing and interview panel has received training. By two years after the introduction of this policy, it is our aim that all those involved in recruitment and selection will have been trained for the purpose, i.e. September 2015.

9 Bullying and harassment

9.1 The CCG has a separate Dignity at Work policy, published on SharePoint and People Direct: It sets out the 'zero-tolerance' principle of the approach and indicates the process to be followed where harassment and/or bullying is suspected. Strong, consistent action to eliminate this kind of behaviour is a vital component of meeting the Public Sector Equality Duty's first aim: 'eliminating harassment, discrimination and victimisation'

9.2 The Dignity at Work policy provides useful definitions with which managers and employees should familiarise themselves. **Bullying** is defined as: 'Offensive, abusive, malicious or insulting behaviour, which causes the recipient to feel upset, threatened, humiliated or vulnerable and which undermines their self confidence, often leading to stress'. **Harassment** is defined as: 'Any conduct based on age, sex, sexual orientation, gender assignment, disability, HIV status, race, colour, language, religion, political, trade union or other opinion or belief, national or social origin, association with a minority group, domestic circumstances, property, birth or other status, which is not reciprocated or wanted

and which affects the dignity of men and women at work'. In all cases, it will be for the recipient to define what is inappropriate behaviour.

10 Disabled employees

10.1 The CCG has legal responsibilities towards disabled employees, as defined in the Equality Act 2010. The concept of making 'reasonable adjustments' in the workplace has been well established by the Disability Discrimination Act 1995. Within the new Equality Act, this principle remains unaltered. The CCG's Equality, Diversity and Human Rights Strategy makes clear that the organisation adheres to the social model of disability, where possible, so that reasonable adjustments to the working environment may be required. The aim is to ensure that disabled people have the opportunity to obtain and remain in employment with the CCG and to support people who may acquire an impairment while in employment. Appropriate adjustments may be made to: the working environment (including equipment); terms and conditions of employment (such as working hours); the duties of posts (such as re-allocating duties to other team members).

10.2 We will ensure that a consistent, equitable and sustainable approach to making reasonable adjustments is taken throughout the organisation. We undertake to monitor the number and proportion of CCG employees who identify as disabled and to report on this annually as part of our workforce monitoring. This will also include the experiences of those applying for employment with the organisation. The NHS Equality Delivery System – to which the CCG is committed – also requires us to publish this information. We will encourage disabled employees to identify as having an impairment or long term health condition, as experience shows that many people do not do so for a number of reasons: one of these is lack of confidence that the employing organisation will act to support them. The confidential Staff Attitude Survey (part 11 below) will assist us to count more accurately the number and proportion of disabled employees, while guaranteeing confidentiality to individuals.

11 Implementing, monitoring the policy

11.1 Workforce monitoring

The suite of policies of which this forms part will be reviewed and updated at least every three years or sooner if required by a decision of the CCG Governing Body. We undertake to monitor and report on the implementation of this policy in relation to the 'protected characteristics' specified by the Equality Act 2010. We recognise that important sensitivities exist for monitoring some characteristics, in particular sexual orientation and gender identity. Religion, belief and disability are also issues which some employees may be reluctant to disclose. Questions about security of the information and its use must be answered robustly and confidence needs to be established that all information is securely held in line with good data protection governance.

For transgendered employees, as the numbers of individuals who choose to disclose is likely to be very low, it may be very difficult to maintain confidentiality within published statistics. For this particular group, the CCG will aim to work with networks of Trans employees, locally or regionally, for consultation and

engagement purposes. We aim to move towards monitoring all those in protected groups by 2015.

The views of our employees will be an important source of information in the implementation process. We will publish workforce monitoring reports containing, as a minimum, information on the following:

- Workforce Diversity

We will monitor the composition of our workforce with reference to the characteristics protected by the Equality Act 2010.

- Recruitment

We will monitor and analyse, on the same basis, the recruitment process and the experiences of those applying for employment with the organisation, utilising recommended methods.

- Disciplinary and Grievance Procedures

We will monitor the numbers of employees who are subject to formal disciplinary action or who bring formal grievances.

- Bullying and Harassment

We will monitor the number of incidents of harassment and bullying by protected characteristic as required.

- Flexible Working and Other Employment Policies

We will monitor the uptake and/or effects of our flexible working and other employment policies and schemes.

- Staff Turnover, including reasons for leaving

We will monitor these by protected characteristics, as required, and make use of exit questionnaires, where possible.

- Employee Views

We will include equality and diversity-related questions and respondent monitoring as part of an annual programme of Staff Attitude Surveys. One of the aims of this will be to establish whether employees are satisfied with our work to promote equality and diversity at work.

The purpose of the monitoring regime described above is to help us to uncover areas of inequality or unfairness in our employment practices, so that we may take any remedial action accordingly. The results of our monitoring will contribute in an important way to the assessment of our performance within the NHS Equality Delivery System.

We recognise that our data collection and analysis systems (such as Electronic Staff Record) place limitations on the range of protected characteristics we are able to monitor in a quantitative way and on the areas of employment practice and employee experience which we can effectively analyse. Our aspiration will be to continually broaden and deepen our monitoring and analysis capabilities.

11.2 The role of individuals to raise concerns

The CCG supports the right, and would encourage any employees, to raise any concerns if they feel that the organisation is not taking its responsibility to promote equality, diversity and human rights seriously; or that the policy is not being applied fairly or consistently; or is at odds with the aims set out. Equally, employees have the right to raise any concerns if they feel they have been unfairly discriminated against in the application of any of the CCG's employment

policies or procedures.

Employees are normally advised to raise concerns informally in the first instance, either as an individual or as part of a group. Equality, diversity and human rights related issues should be raised with the line manager or with an alternative manager, if appropriate. Issues will be taken seriously and resolved as quickly as possible. In some cases, depending on the situation, this may need to involve a third party.

Issues which cannot be resolved informally should be raised formally, in accordance with the CCG's Grievance Policy or in accordance with the Dignity at Work Policy which can be found on People Direct accessed through the staff intranet. However formal procedures should only be applied once all informal steps have been exhausted, where appropriate. Rights to be accompanied at hearings are detailed in both policies.

For those employees whose first language is not English or who have impairment or learning difficulty, expressing themselves formally can be difficult. In these circumstances, Line Managers and Human Resources' provider should encourage individuals to seek help from a trade union representative or a colleague who is an employee. Reasonable adjustments must be made which may include assisting employees to formulate written evidence if they are unable to do so because of their impairment or other condition. In such circumstances, advice should be sought from the Human Resource Provider.

12 Staff equality networks

The CCG recognises the value of staff equality networks in offering peer support; and in tackling the barriers which can prevent employees from maximising their potential at work. Staff networks also act as a useful channel of communication between employees from protected groups and different parts of the organisation.

Where staff networks exist, the CCG will facilitate participation by its employees, subject to the business needs of the organisation.

13 Ratification and Review

This Equality and Diversity in Employment Policy has been ratified by the Clinical Commissioning Group Clinical Executive on August 2014. The Policy will be reviewed within 2 years of the date of ratification.

Appendix 1

GLOSSARY

Black and Minority Ethnic (BME)	People from different ethnic groups, apart from the White British ethnic group. Some definitions of BME also exclude White minority ethnic groups, such as Eastern European or White Irish.
Clinical Commissioning Group (CCG)	An NHS body whose main tasks are to assess local health needs and commission services from hospitals and community service providers. All GP practices are members of their local CCG.
Disability Equality	Full opportunity and choices for disabled people to improve their quality of life and to be respected and included as equal members of society
Equality Delivery System	A system through which NHS bodies can assess their performance in relation to equality and diversity, grade their current performance, set objectives and action plans for going forward. Involvement of local interests is an essential part of these processes.
Monitoring	The process of regularly reviewing achievements and progress towards goals
Primary care and community services	Services which are people's first point of contact with the NHS. They are provided by primary health care teams working in the community, usually based in GP surgeries or health centres. Primary and community care workers include GPs, dentists, practice nurses, health visitors, district nurses, community psychiatric nurses, physiotherapists and many others.
Primary Care Trust (PCT)	Former NHS bodies whose main tasks were to assess local health needs, develop and implement Local Delivery Plans, provide public health and primary care services and commission other health services

Appendix 2 Draft Action Plan

Actions	Outcomes	Measure of success/Output
1. The CCG Governing Body to discharge its overall responsibility for: <ul style="list-style-type: none"> • Identifying and allocating a sufficient level of resources necessary to secure delivery of the policy • Establishing and supporting governance arrangements that will ensure that the policy is implemented, with progress measured, reviewed and evaluated 	Ensure that the policy is implemented. With progress measured, reviewed and evaluated.	Ensure that the policy is implemented with progress measured, reviewed and evaluated
2. Reasonable adjustments are identified and made to: <ul style="list-style-type: none"> • The working environment • Terms and conditions of employment (such as working hours) • The duties of posts (such as reorganising the way in which duties are allocated amongst team members) 	The aim is to ensure that disabled people have the opportunity to obtain and remain in employment with the CCG and to support people who may acquire an impairment while in employment	Disabled people are satisfied with opportunities to obtain and remain in employment with the CCG
3. Encourage and facilitate participation in staff equality networks	Peer support available and open channels of communication between employees and management around equality and diversity in employment	Employees express satisfaction with opportunities to participate
4. Agree a programme of Equality Impact Assessments on relevant policy and practice	Programme agreed to identify actual or potential impacts and ensure compliance with the public sector Equality Duty	Programme published internally, at least and at least one substantive Assessment under way
Workforce Development		
3. We will undertake to routinely collect information about the composition of our local population	Establish and maintain the basis for setting meaningful, realistic and achievable targets for the composition of our workforce.	Population data published as part of workforce monitoring.
4. We will work collaboratively with strategic partners in the NHS and beyond on the development of a representative and competent workforce in the local health sector	Contribute to the development of a representative and competent workforce in the local health sector and to meet the aims of the Public Sector Equality Duty.	Evidence of improvements published as part of workforce monitoring
5. Adopt and implement good practice and standards, beginning with the Two Ticks disability equality symbol and assurance framework (national) and the CCG's Charter of Ten Standards for lesbian, Gay, Bisexual and Transgender equality (local).	Improved organisational ability to meet the aims of the Equality and Diversity in Employment Policy	
8. The CCG will disseminate this policy to: <ul style="list-style-type: none"> • employees at all levels of the CCG • organisations and individuals that have a working or contractual relationship with the CCG, such as general practitioners, providers and contractors • those working in partnership with the 	Ensure stakeholder understanding and buy-in to the policy's aims and objectives and the sharing of our vision and mission around equality, diversity and human rights	Evidence of feedback on the policy from employees, key stakeholders and

CCG		partners
9. Existing employees will be briefed about the policy	Ensure employee familiarisation with the policy's aims, objectives and key themes	Evidence of employee familiarisation
10 Signposting to this policy will be done via the website, job advertisements, application forms and other relevant promotional literature	This will indicate to job applicants and to the wider community the CCG's commitment to practising equality and achieving diversity in employment.	Evidence of job applicant awareness
11. All new employees will receive information about this policy and their responsibilities as part of their induction to the CCG	Ensure employee familiarisation with the policy's aims, objectives and key themes	Evidence of new employee familiarisation
12 Develop and deliver learning and development, support and information which offers our employees the opportunity to gain the knowledge and skills necessary to provide excellent, accessible services to everyone in the local community	Employees are gaining the knowledge and skills necessary to provide excellent, accessible services to everyone in the local community	Employees satisfied with opportunities to gain the knowledge and skills necessary to provide excellent, accessible services to everyone in the local community
13 Develop and deliver learning and development, support and information which enables employees and managers to contribute to organisational compliance with the values, vision, legislation, regulations and standards identified in this policy	Employees and managers are competent to tackle discrimination, advance equality of opportunity and foster good relations, as required by the PSED	Via the PDR process, managers are able to confirm that all employees are competent to a relevant standard
14 All job opportunities in the organisation including secondments, will be advertised widely to all employees, for example via staff communications		
15 All those involved in recruiting and selecting staff will receive recruitment and selection skills training	By two years after the introduction of this policy all those involved in recruitment and selection will have been trained for the purpose, ie September 2015	In the short term, at least one member of each short-listing and interview panel will have received training
16 A formal record of all short listing decisions and interview notes will be maintained, including the reasons that candidates were or were not selected. These will be kept within the recruitment office for a minimum of six months	Job applicants who request feedback receive honest, accurate and helpful feedback from recruiters following their applications and/or interviews.	All requests for feedback are fulfilled.
17 Publish workforce monitoring reports containing, as a minimum, information on the following: <ul style="list-style-type: none"> • Workforce Diversity Recruitment • Disciplinary and Grievance Procedures • Bullying and Harassment • Flexible Working and Other Policies • Staff Turnover, including reasons for leaving • Employee Views (via the annual programme of Staff Attitude Surveys) 	The purpose of the monitoring regime described above are: <ul style="list-style-type: none"> • <input type="checkbox"/> to help us to uncover areas of inequality or unfairness in our employment practices, so that we may take any remedial action accordingly • to establish whether employees are satisfied with our work to promote equality and diversity at work 	Workforce monitoring reports

18 Develop a process and milestones to continually broaden and deepen our monitoring and analysis capabilities, moving towards monitoring all those in protected groups by 2015.	the limitations that our data collection and analysis systems (such as Staff Record) place on the range of protected characteristics we are able to monitor on the areas of employment practice and employee experience which we will analyse	Milestones established and evidence of improving monitoring and analysis, including monitoring all those in protected groups by 2015
19 In the absence of complete data, find alternative ways to monitor progress: eg for transgendered employees, consult/engage with trans employee networks	Ability to consult and engage with transnetworks of employees, locally or regionally	Evidence of engagement
20 Improve rates of disclosure, in particular for disability, sexual orientation, gender identity, religion and belief	Better quantitative picture of workforce diversity	Improved rates of disclosure/ reduced "unknowns"
21 Monitor and report on the implementation of this policy in relation to the 'protected characteristics' specified by the Equality Act 2010	CCG Governing Body understands its progress and takes action to improve it. Also, compliance with publication requirements of legislation and regulation	Compliance with publication requirements of legislation and regulation by September 2014
22 We will consult and inform our employees, patient groups, local communities and partners about the progress we are making	Stakeholders understand CCG progress and contribute to action to improve it	Evidence of consultation with, and information to, employees, patient groups, local communities and partners about the progress we are making
23 Progress reports and updates, including monitoring data, will be communicated to employees through staff communications	Employees understand CCG progress and contribute to action to improve	Evidence of communication to employees
24 The Policy will be reviewed within 3 years of the date of ratification	Policy reviewed and updated by April 2016	Policy reviewed and updated by May 2016

Equality Analysis Initial Assessment Appendix 3

Title of the change proposal or policy:

Equality and Diversity Policy

Brief description of the proposal:

To ensure that the policy amends are fit for purpose, that the policy is legally compliant, complies with NHSLA standards and takes account of best practice.

Name(s) and role(s) of staff completing this assessment:

Date of assessment:

Please answer the following questions in relation to the proposed change:

Will it affect employees, customers, and/or the public? Please state which.

Yes, it will affect all employees

Is it a major change affecting how a service or policy is delivered or accessed?

No

Will it have an effect on how other organisations operate in terms of equality?

Yes

If you conclude that there will not be a detrimental impact on any equality group, caused by the proposed change, please state how you have reached that conclusion:

No anticipated detrimental impact on any equality group. The policy adheres to the NHS LA Standards and best practice. Makes all reasonable provision to ensure equity of access to all staff. There are no statements, conditions or requirements that disadvantage any particular group of people with a protected characteristic.

Please return a copy of the completed form to the Equality & Diversity Manager