



CHUMS

**Mental Health &
Emotional Wellbeing Service**

Equality and Diversity Policy

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CONTENTS

SECTION	Page
Contents	2
Policy Statement	3
What is Discrimination?	3
Duties and Responsibilities	5
Recruitment, Promotions and Identifying Candidates for other Opportunities	5
Monitoring the Policy and our Personnel	5
Handling Breaches and Enforcement	5
Consultation	6
Review	6
Other Policies	6
Data Protection	6

Policy Statement

CHUMS do not tolerate discrimination or harassment in any part of its operations. CHUMS is fully committed to providing equal opportunities in employment.

This policy applies to all employees, contractors, volunteers, job applicants, agency and casual workers, service users and their families.

This policy is not part of your contract of employment. CHUMS may amend this policy at any time.

As part of our mandatory induction training, all employees are required to complete the Equality and Diversity module and to complete refresher training at regular intervals.

CHUMS aims to reflect the diversity of our local populations in the engagement of employees, contractors, volunteers, casual workers and agency workers.

What is Discrimination?

Under UK employment law, there are a number of characteristics relevant to an individual who is covered by the policy that must not unfairly be considered (if accounted for at all) in decisions relating to any aspect of their working life. These characteristics are called 'protected characteristics' and they are:

- Age
- Disability
- Gender Reassignment
- Marital or Civil Partnership Status
- Pregnancy or Maternity
- Race (which includes colour and ethnic/national origin)
- Religion or Belief
- Sex
- Sexual Orientation

If employment-related decisions are made about an individual on the basis (whether wholly or partially), of any of these protected characteristics, it is almost inevitable that unlawful discrimination will have taken place.

The sorts of actions that would fall into this category of unlawful and prohibited initiatives, include but are not limited to, those set out below. We will not tolerate their practice by anyone in the organisation:

1. Direct Discrimination

When someone with a protected characteristic is treated less favourably than somebody else has or would have been in identical circumstances.

2. Indirect Discrimination

When a group of people with one of the protected characteristics is disadvantaged by a provision, criterion or practice that is applied to all staff (unless the treatment may be justified for a good business reason).

3. Harassment

This covers hostile, humiliating, degrading, intimidating or similarly offensive treatment or conditions to which an individual with one or more protected characteristics is subjected. Any such actions deprive an individual of their dignity and violate them. We draw no distinction between actions that may be labelled as 'joking' and not intended to cause offence, and those that may have been more direct and premeditated in their delivery.

Please also refer to our Bullying and Harassment policy for further detail.

4. Victimation

This has a particular meaning under UK employment law, and it is narrower than an ordinary dictionary definition, covering the situation only where:

- A worker has complained of discrimination (or harassment); or
- Has supported a fellow worker in making a complaint about these concerns and has then suffered reprisals from others, including those responsible for that worker's employment prospects and working conditions.

5. Other Discriminatory Actions that are also Prohibited

The UK's employment law also identifies other actions that can be unlawful under the equal opportunity legislation. Examples of these include:

- Failing to make reasonable adjustments to minimise certain disadvantages suffered by a disabled employee (or job applicant).
- Instructing another person (or applying pressure on them) to discriminate.
- Knowingly assisting somebody else when they carry out a discriminatory act.
- Discriminating against somebody believed to have a protected characteristic, whether or not they actually do, or because they associate with a third party who does.

CHUMS
Mental Health & Emotional Wellbeing Service
Equality and Diversity Policy



Duties and Responsibilities

Overall responsibility for the effective implementation and operation of the policy lies with all managers within CHUMS. All managers are expected to lead by example and attain and maintain appropriate standards of behaviour within the teams they manage.

However, everyone who works in and with CHUMS is responsible for ensuring that this policy works to prevent the activities that it prohibits from taking place in our organisation. We therefore expect you to take personal responsibility for adhering to this policy's aims and commitments and for promptly and appropriately drawing any breaches of them to our attention.

Recruitment, Promotions and Identifying Candidates for other Opportunities

In any selection process that we use within our organisation we will apply a rigorous, objective selection process using non-discriminatory criteria, as far as possible.

Monitoring the Policy and our Personnel

During any recruitment and induction process, we may ask questions that include some protected characteristics to help us monitor our diversity and how we are succeeding in our commitment to promote equal opportunities. Including health or disability questions in equal opportunities monitoring exercises is acceptable, but the data gathered must not be used for any employment-related decisions.

We may also record and analyse information about equal opportunities more generally within the workplace. We do this so that we can make sure this policy operates successfully. The data also helps us to refine it, review the composition of our workforce, and to promote workplace equality.

When you join CHUMS, you give us consent to gather and process this data about you.

Handling Breaches and Enforcement

We take all allegations of breach and any breaches that we discover, very seriously. All allegations and/or suspicions of breach will therefore be thoroughly investigated.

If you wish to complain or raise an allegation of breach (or potential breach) under the policy, you should contact your Line Manager or the Head of HR, as soon as possible. If you want to take formal action, you will need to follow our grievance procedure and read our policy on bullying and harassment.

CHUMS
Mental Health & Emotional Wellbeing Service
Equality and Diversity Policy



Anyone raising a concern about matters covered by this policy, who does so in good faith, will have our full support and co-operation in getting to the bottom of what has happened and any appropriate action that needs to follow on from that examination. However, complaints made in bad faith, for whatever reason, will be treated as misconduct and may lead to a dismissal for gross misconduct.

Consultation

The organisation will liaise with its employees and service users on a regular basis to assess the effectiveness of this policy.

Review

This policy will be reviewed annually or sooner if there is legislative change.

Other Policies

This policy may be reviewed in conjunction with the Bullying and Harassment Policy and the Grievance Policy.

Data Protection

Any documentation created or held in line with the application of this policy will be managed in accordance with our Data Protection policy.

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Equality and Diversity Policy



Governance Committee Authorisation

Signature *

Name Print: Dee Hogman

Position/Role: Head of Quality/Chair
(in the absence of Katie Witt, Clinical Lead)

Date: April 2021

Date of Review: April 2024

* Authorised signatory must be the chair (or deputising chair) of Governance Committee.