

HR05 Equality of Opportunity Policy

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1.0 Policy Statement (Purpose / Objectives of the policy)

- 1.1 The Royal Wolverhampton Trust (The Trust) is an organisation that values diversity and promotes equality of opportunity for all its workforce, volunteers, candidates, and associates, regardless of any protected characteristics; age, disability, sex, sexual orientation, gender reassignment, race, religion or belief, marriage or civil partnership status, pregnancy or maternity.
- 1.2 The purpose of the policy is to promote equality and remove unlawful discrimination so that everyone can fulfill their full potential in an environment of fairness, dignity and respect where decisions are based on merit.
- 1.3 This policy will ensure that all aspects of employment are carried out with due regard to the following Equality legislation and mandated reporting:
- **Equality Act (2010) and Gender Pay Gap (GPG) Reporting Regulations** came into force on 1st October 2010 and subsequent GPG Regulations were introduced in 2017. The Equality Act brought together 116 separate pieces of legislation into one single Act. Combined, they make up an Act that provides a legal framework to protect the rights of individuals and advance equality of opportunity for all.
 - **The Public Sector Equality Duty** requires that the Trust has due regard to the need to eliminate unlawful discrimination, advance equality of opportunity, and foster good relations between different people when undertaking its activities.
 - **The Equality Delivery System 2 (EDS2)** is a toolkit to help NHS organisations improve the services they provide for their local communities, consider health inequalities in their locality and provide better working environments, free of discrimination, for those who work in the NHS. The purpose of the EDS2 is to drive up equality performance and embed it into mainstream NHS business.
 - **Workforce Race Equality Standard (WRES)** is a mandatory NHS standard which aims to ensure race equality and fair treatment for its Black and Minority Ethnic (BME) workforce. NHS organisations are required to report on 9 indicators and these then gauge the current state of race equality within the organisation and track what progress is being made to identify and promote talented BME staff as well as helping to eliminate wider aspects of discrimination in the treatment of BME Staff.
 - **Workforce Disability Equality Standard (WDES)** launched 31st March 2019 – is a mandatory NHS standard which aims to ensure equality in the workplace for those employees with a disability or long term medical condition as defined in the Equality Act (2010). The process of reporting and purpose of WDES is as above for WRES, but in respect of employees with a disability or long term medical condition.
- 1.4 In adhering to this Policy, all applicable aspects of the Conflicts of Interest Policy must be considered and addressed. In the case of any inconsistency, the Conflict-of-Interest Policy is to be considered the primary and overriding Policy.

2.0 Definitions

2.1 **Protected Characteristic (PC)** - there are 9 protected characteristics that are covered and protected in law by the Equality Act (2010):

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

2.2 **Direct Discrimination** is where someone is treated less favourably because of a Personal Protected Characteristic.

2.3 **Indirect Discrimination** is where there is a rule, condition or policy that applies to everyone but disadvantages a person with a particular protected characteristic.

2.4 **Discrimination by Perception** is **direct discrimination** where an individual is discriminated against because someone believes that they have a protected characteristic. It applies regardless of whether the person has that protected characteristic or not.

2.5 **Discrimination by Association** is the **direct discrimination** of someone because of their association with someone with a protected characteristic.

2.6 **Harassment** is unwanted conduct or behaviour related to a protected characteristic, which has the purpose or effect of violating an individual's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

2.7 **Victimisation** is where someone is treated badly or less favourably because they have either made or supported a complaint under the Equality Act (2010).

3.0 Accountabilities

3.1 The **Trust Board** has overall responsibility for ensuring the policy is implemented.

3.2 The **Chief People Officer** has specific responsibility for monitoring the policy on behalf of the Trust.

3.3 **Line Managers** are responsible for ensuring that all staff within their area are aware of their responsibilities as well as ensuring that their area and management practices comply with all aspects of the policy.

- 3.5 **All Staff** have a responsibility to actively promote equality of opportunity, to treat all colleagues with dignity and respect, comply with the requirements of this policy and challenge or raise concerns about any behaviour or conduct that they feel contravenes this policy using the appropriate channels.
- 3.6 **Staff side and Trade Union representatives** will be familiar with this policy in order to provide advice and support to their members if requested to do so.
- 3.7 The **Human Resources department** is responsible for ensuring managers receive guidance in the use and application of this policy and any other associated policies.
- 3.8 **Specific groups / committees** - the Trust has a number of special interest groups for staff and service users which support the promotion of the equal opportunities' agenda including the Equality Diversity and Inclusion Steering group and Staff Employee Voice groups .

4.0 Policy Detail

- 4.1 **All policies and procedures** – must be Equality Impact Assessed in line with **OP01** and adhere to the principles contained within this policy.
- 4.2 This overarching policy statement should be read in conjunction with the following policies:
- **HR08 Recruitment and Selection Policy**
 - **HR 18 Appraisal**
 - **HR 51 Pay Policy**
 - **HR 32 Organisational and Workforce Change Policy**
 - **HR 13 Supporting and Managing Staff Attendance at Work Policy**
 - **HR 03 Disciplinary Policy**
 - **HR 06 Dispute Resolution in the Workplace**
 - **HR01 Work life Balance / Family Friendly (Leave) Policy**
 - **HR 16 Raising Concerns at Work**
 - **HR 19 Capability Policy**
 - **HR 48 Workplace Health and Wellbeing Policy**
- 4.3 The policy has been developed to support the People and Organisational Development Strategy

5.0 Financial Risk Assessment

1	Does the implementation of this policy require any additional Capital resources	No
2	Does the implementation revenue resources of this policy require additional	No
3	Does the implementation of this policy require additional manpower	No
4	Does the implementation of this policy release any manpower costs through a change in practice	No
5	Are there additional staff training costs associated with implementing this policy which cannot be delivered through current training programmes or allocated training times for staff	No
	Other comments	

6.0 Equality Impact Assessment

An Equality Impact Assessment has been completed demonstrating due regard to the general equality duty. The EIA has identified no adverse impacts of the policy on protected characteristic groups as identified by the Equality Act 2010.

7.0 Maintenance

The Policy will be kept up to date by the Head of Equality Diversity and Inclusion and any changes and recommendations will be agreed by the People and Organisational Development Committee.

8.0 Communication and Training

The Policy will be communicated through Trust wide communications and intranet. Mandatory equality and diversity training is in place for all staff in line with the Trust mandatory training policy OP 41.

9.0 Audit Process

The policy lead will be responsible for ensuring the policy is kept up to date and this will be reviewed through the HR Governance Group.

Criterion	Lead	Monitoring method	Frequency	Committee
The implementation of the policy on the Number of complaints under this policy (although they will be dealt with through the Grievance process) Analysis of HR Casework	Head of Equality Diversity Inclusion	Annual report on workforce equality and diversity which covers: Make-up of the workforce Number of complaints made under the grievance procedure on grounds of the 9 protected characteristics. Summary of trends and themes as well as any proposed action plans Data from the most recent staff survey on discrimination Analysis of HR case work Analysis of Case Assessments and Disciplinary investigations for BAME and Disabled Staff (Cultural Ambassador Programme)	Annually	People and Organisational Development Committee

10.0 References - Legal, professional or national guidelines must underpin policies and be referenced here. Where appropriate cross references must be made to other policies.

- Equality Act (2010): <https://www.gov.uk/guidance/equality-act-2010-guidance>
- Workforce Race Equality Standard: <https://www.england.nhs.uk/about/equality/equality-hub/equality-standard/>
- Workforce Disability Equality Standard: <https://www.england.nhs.uk/about/equality/equality-hub/wdes/>
- NHS Equality Delivery System: [NHS England » Equality Delivery System](#)
- Public Sector Equality Duty: <https://www.gov.uk/government/publications/public-sector-equality-duty>

Part A - Document Control

Policy number and Policy version: HR05 Equality of Opportunity Policy V5 April 2022	Policy Title Equality of Opportunity Policy	Status: Final		Author: Head of Equality Diversity Inclusion Chief Officer Sponsor: Chief People Officer
Version / Amendment History	Version	Date	Author	Reason
	1	April 2008	Term and Conditions Working Group	Original Policy
	2	May 2012	Divisional HR Manager	Policy Revision
	3	Sept 2015	Divisional HR Manager	Routine Review
	4	April 2019	HR Manager (Workforce)	Policy Review
5	April 2022	Head of Equality Diversity Inclusion	Policy Review	
Intended Recipients: The policy is applicable to all staff working for the Trust including employees, contractors, volunteers, students, locum, bank and agency staff and honorary contract holders.				
Consultation Group / Role Titles and Date: Joint Negotiating Committee – 29 June 2022				
Name and date of Trust level group where reviewed		Trust Policy Group - May 2022		
Name and date of final approval committee		Trust Management Committee – July 2022		
Date of Policy issue		July 2022		
Review Date and Frequency (standard review frequency is 3 yearly unless otherwise indicated – see section 3.8.1 of Attachment 1)		May 2025		
Training and Dissemination: Mandatory EDI Training is integral to the Trust Induction and Mandatory Training requirements				
Publishing Requirements: Can this document be published on the Trust’s public page: Yes If yes you must ensure that you have read and have fully considered it meets the requirements outlined in sections 1.9, 3.7 and 3.9 of OP01, Governance of Trust-wide Strategy/Policy/Procedure/Guidelines and Local Procedure and Guidelines , as well as considering any redactions that will be required prior to publication.				

<p>To be read in conjunction with:</p> <ul style="list-style-type: none"> • HR08 Recruitment and Selection Policy • HR 18 Appraisal • HR 51 Pay Policy • HR 32 Organisational and Workforce Change Policy • HR 13 Supporting and Managing Staff Attendance at Work Policy • HR 03 Disciplinary Policy • HR 06 Dispute Resolution in the Workplace • HR01 Work life Balance / Family Friendly (Leave) Policy • HR 16 Raising Concerns at Work • HR 19 Capability Policy • HR 48 Workplace Health and Wellbeing Policy 	
<p>Initial Equality Impact Assessment (all policies): Completed : No Full Equality Impact assessment (as required): Completed Yes / No / NA : YES</p>	
<p>Monitoring arrangements and Committee</p>	<p>Annual Equality Report People and Organisational Development Committee</p>
<p>Document summary/key issues covered.</p> <ul style="list-style-type: none"> ○ The Royal Wolverhampton Trust (The Trust) is an organisation that values diversity and promotes equality of opportunity for all its workforce, volunteers, candidates, and associates, regardless of any protected characteristics; age, disability, sex, sexual orientation, gender reassignment, race, religion or belief, marriage or civil partnership status, pregnancy or maternity. ○ The purpose of the policy is to promote equality and remove unlawful discrimination so that everyone can fulfill their full potential in an environment of fairness, dignity and respect where decisions are based on merit. ○ This policy will ensure that all aspects of employment are carried out with due regard to the following Equality legislation and mandated reporting: <ul style="list-style-type: none"> • Equality Act 2010 and Gender Pay Gap (GPG) Reporting Regulations • Public Sector Equality Duty • Equality Delivery System 2 • Workforce Race Equality Standard (WRES) • Workforce Disability Equality Standard (WDES) 	
<p>Key words for intranet searching purposes</p>	<p>Equality Diversity Inclusion Discrimination</p>
<p>High Risk Policy? Definition:</p> <ul style="list-style-type: none"> • Contains information in the public domain that may present additional risk to the public e.g. contains detailed images of means of strangulation. • References to individually identifiable cases. • References to commercially sensitive or confidential systems. <p>If a policy is considered to be high risk it will be the responsibility of the author and chief officer sponsor to ensure it is redacted to the requestee.</p>	<p>Yes / No (delete as appropriate)</p> <p>NO</p>

Part B **Ratification Assurance Statement**

Name of document: HR05 Equal Opportunities Policy

Name of author: Balvinder Everitt Job Title: Head of Equality Diversity Inclusion

I, the above named author confirm that:

- The Strategy/Policy/Procedure/Guidelines (please delete) presented for ratification meet all legislative, best practice and other guidance issued and known to me at the time of development of the said document.
- I am not aware of any omissions to the said document, and I will bring to the attention of the Executive Director any information which may affect the validity of the document presented as soon as this becomes known.
- The document meets the requirements as outlined in the document entitled Governance of Trust-wide Strategy/Policy/Procedure/Guidelines and Local Procedure and Guidelines(OP01).
- The document meets the requirements of the NHSLA Risk Management Standards to achieve as a minimum level 2 compliance, where applicable.
- I have undertaken appropriate and thorough consultation on this document and I have detailed the names of those individuals who responded as part of the consultation within the document. I have also fed back to responders to the consultation on the changes made to the document following consultation.
- I will send the document and signed ratification checklist to the Policy Administrator for publication at my earliest opportunity following ratification.
- I will keep this document under review and ensure that it is reviewed prior to the review date.

Signature of Author: *Bal K Everitt*

Date: 07/04/2022

Name of Person Ratifying this document (Chief Officer or Nominee):

Job Title: Chief People Officer

Signature:



- I, the named Chief Officer (or their nominee) am responsible for the overall good governance and management of this document including its timely review and updates and confirming a new author should the current post-holder/author change.

To the person approving this document:

Please ensure this page has been completed correctly, then print, sign and email this page only to: The Policy Administrator

IMPLEMENTATION PLAN

To be completed when submitted to the appropriate committee for consideration/approval

Policy number and policy version HR05	Policy Title Equal Opportunities Policy	
Reviewing Group	Trust Policy Sub Group	Date reviewed: May 2022
Implementation lead: Print name and contact details Balvinder Everitt, Head of EDI Balvinder.everitt@nhs.net		
Implementation Issue to be considered (add additional issues where necessary)	Action Summary	Action lead / s (Timescale for completion)
Strategy; Consider (if appropriate) 1. Development of a pocket guide of strategy aims for staff 2. Include responsibilities of staff in relation to strategy in pocket guide.	Equality Diversity Delivery Plan	April 2021 – March 2023
Training; Consider 1. Mandatory training approval process 2. Completion of mandatory training form	Mandatory EDI Training	On-going
Development of Forms, leaflets etc; Consider 1. Any forms developed for use and retention within the clinical record MUST be approved by Health Records Group prior to roll out. 2. Type, quantity required, where they will be kept / accessed/stored when completed	N/A	
Strategy / Policy / Procedure communication; Consider 1. Key communication messages from the policy / procedure, who to and how?	N/A	
Financial cost implementation Consider Business case development	N/A	
Other specific Policy issues / actions as required e.g. Risks of failure to implement, gaps or barriers to implementation	N/A	