

## **1.0 Introduction/Purpose statement:**

York Mind is committed to the principle that no one should receive unfavourable treatment on the grounds of (one of more of) the following protected characteristics: age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, sexual orientation or any other reason that can be objectively justified. This policy prohibits acts of discrimination whereby one individual is treated less favourably than another on the grounds of any one of the range of protected characteristics.

## **2.0 York Mind Values:**

Our shared values underpin everything we do at York Mind to support our vision that 'everyone with mental health problems get the support and respect they deserve'. Our Values are:

- **Open and non-judgmental** (reaching out to those who need us, those who feel excluded); **Creative and positive** (we design and deliver high quality services that meet changing needs); **Collaborative** (we actively look to work in partnership with others for the benefit of service users); **Participatory** (we allow service users to define their success and offer support to facilitate this)

## **3.0 Policy statement:**

The aim is for our workforce to be truly representative of all sections of society and our service users. And, for each employee, volunteer and freelancer to feel respected and able to give their best. The organisation, in providing goods and/or services and/or facilities - is also committed against unlawful discrimination of service users or the public.

## **4.0 Scope of policy:**

This policy applies to:

- All employees, volunteers, freelancers, service users, trustees and any other persons working in partnership/engaging with York Mind.

## **5.0 Responsibilities:**

The **Chair of the Board of Trustees** (advised by the Board) has overall and final responsibility for ensuring that no one receives unfavourable treatment on the grounds of age, disability, gender reassignment, marriage or civil partnership,

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pregnancy or maternity, race, religion or belief, sex, sexual orientation or any other reason that can be objectively justified.

The **Chief Executive Officer** has day to day responsibility for ensuring that the policy is put into practice and that the culture and systems of the organisation facilitate implementation of the policy.

The **Senior Management Team** has a collective role in providing support and leadership in terms of policy implementation.

**Managers** are responsible for implementing this policy as part of their day-to-day work, including:

- Applying employment policies and practices in a fair and equitable way;
- Ensuring equality and diversity issues are addressed across our services;
- Ensuring all staff, volunteers, freelancers and visitors to the organisation act in accordance with the equality and diversity policy providing necessary support and direction;
- Effectively manage and deal promptly when investigating issues relating to potential discrimination;
- Ensure that sub-contractors are aware of this policy and agree to adhere to it.

**Employees, volunteers and freelancers** are responsible for implementing this policy as part of their day-to-day work, including:

- Implementing the policy in their day-to-day work and their dealings with colleagues, volunteers and service users;
- Ensuring their behaviour is appropriate to the policy and that they treat people with respect and dignity;
- Not discriminating against other employees, freelancers, service users or other third parties;
- Notifying their line manager of any concerns with regard to the conduct of other employees, service users or third parties.

## **6.0 Definitions:**

The Equality Act 2010 identifies a number of different forms of discrimination. These are:

- Direct Discrimination - where someone is treated less favourably than another person because of a protected characteristic;
- Indirect Discrimination - this can occur when you have a rule or policy that applies to everyone but disadvantages a person with a particular protected characteristic;

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- Harassment - this is behaviour that creates an intimidating and hostile environment in relation to a protected characteristic. Employees can complain of the behaviour they find offensive even if it is not directed at them;
- Victimisation - this occurs when someone is treated badly because they have made or supported a complaint or grievance under this legislation.

## **7.0 Procedures:**

**Recruitment and employment:** refer to the York Mind Recruitment and Selection process. In addition:

- York Mind will assess the effectiveness of its` recruitment by monitoring all recruitment by the equality characteristics and reporting against this at agreed intervals;
- York Mind will take reasonable steps to retain employees if they become disabled during employment;
- An analysis of exit interviews and leavers feedback will be undertaken to identify any evidence of discrimination or unfair treatment.

**Training and development opportunities:** York Mind is committed to ensuring that all employees are supported in developing the skills and abilities required to carry out their current role. This includes:

- Appraisal and development plans and access to training and development for all employees is subject to reporting at agreed intervals;
- All employees, volunteers are required to complete compulsory equality and diversity training modules as part of the induction process;
- All freelancers are required to demonstrate their commitment to equality and diversity (see freelancer framework);

For full details, refer to the York Mind policies and procedures - Performance appraisal policy and procedures and Supervision policy and procedure.

**Setting standards of behaviour for employees, volunteers and visitors to York Mind:**

- All employees, volunteers and freelancers are required to read and confirm their understanding of York Mind`s Equality and Diversity Policy and Code of Conduct during the induction period;
- Details of the standards that visitors are required to adhere to are communicated to all visitors and displayed in key delivery spaces.

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### **Monitoring and evaluation:**

York Mind will ensure that decision making structures take place in such a way that equality and diversity issues are appropriately considered i.e:

- Equality impact assessments will be undertaken by relevant service/project lead – see EIA process appendix 1;
- Monitoring against key equality and diversity metrics will take place and be reviewed by the Board of Trustees at agreed intervals and, where necessary, positive action measures agreed.

### **8.0 Conduct / Complaints**

- Where an employee feels they have been subject to unlawful direct discrimination, indirect discrimination, harassment or victimisation, this should be raised in accordance with the relevant policy.
- If an employee is subject to unlawful direct discrimination, indirect discrimination, harassment or victimisation by a **service user/visitor** the relevant York Mind the policy should be followed.
- If an individual **witnesses** any of the above behaviour they should raise this with their line manager or through the Whistle Blowing Policy and Procedure.
- In the event that a **case is found against an employee** of York Mind, disciplinary action will be taken in accordance with York Mind's Disciplinary Policy

### **9.0 Reporting Requirements**

Appendix 2 sets out the monitoring compliance and effectiveness of implementation

Performance area	Monitoring Method	Monitoring responsibility	Frequency of monitoring	Reporting arrangements
<b>People HR metrics</b>				
Workforce profile (employees)	Breathehr extract	Operations	Quarterly	SMT then final BOT sign off
Employees feel respected and able to give their best	Annual staff survey question: (I am proud to work for York Mind)	Operations	Annually	SMT then final BOT sign off
Recruitment and selection -profile of	Application form – equality and diversity	Managers	Quarterly	SMT then final BOT sign off

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shortlisted applicants (successful and unsuccessful)	monitoring sheet			
Leavers	Exit interviews	Managers	Quarterly	SMT then final BOT sign off
Appraisals	Breathehr extract	Operations	Quarterly	SMT then final BOT sign off
Training – compulsory	Breathehr extract	Operations	Quarterly	SMT then final BOT sign off
<b>Service Delivery metrics – to report during 2021</b>				
Service User Profile	Existing data collection processes	Managers	Quarterly	SMT then final BOT sign off
Volunteer *Profile	Breathehr (onboarding scheduled for 2021)	Managers	Quarterly	SMT then final BOT sign off
Freelancer *Profile	Breathehr	Managers	Quarterly	SMT then final BOT sign off
Volunteer *Training – Compulsory modules	Breathehr	Managers	Quarterly	SMT then final BOT sign off

\*Breathehr Onboarding planned during 2021

## 10.0 Monitoring and Review - Responsibility for reviewing this document

- It is the responsibility of the **Chief Executive Officer** to review this document at least every two years to take account of changes in legislation and policies and practices within York Mind
- The **Board of Trustees** will review policies and procedures at the date of review.

## 11.0 Additional Information

This document should be read in conjunction with the relevant policies and procedures: Code of Conduct; Bullying and Harassment; Complaints; Disciplinary; Exit; Grievance; Induction; Management of Violence; Performance Appraisal; Supervision; Whistle blowing.

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