

EQUAL OPPORTUNITIES POLICY

1. STATEMENT OF POLICY

DRH is committed to achieving a working and living environment, which provides equality of opportunity and freedom from discrimination on the grounds of race, religion, sex, class, age, sexual orientation, history of past offending behavior, disability or special needs. DRH is committed to creating a workforce and service provision, which is diverse and reflects the community around us. All DRH homes adhere fully to Standard 38 – Ethos - of the National Minimum Standards for Care Homes, which relates to the degree to which a commitment to equal opportunities is made within a home.

2. AIM OF THE POLICY

It is the aim of DRH to promote equal treatment for all service users, employees and job applicants irrespective of racial/ ethnic origin,, colour, sexual orientation, nationality, religion, disability, age, gender or marital status. Also to ensure that all DRH Homes are managed in compliance with equal opportunities legislation, accepted codes of practice and all relevant regulatory standards.

3. DEFINITION

DRH understands discrimination to mean the treatment of one person more or less favorably than another on the grounds of race, ethnic origin, religion, gender, sexual orientation, age, disability or special need. Discrimination can be direct or indirect:

Direct Discrimination

Direct discrimination occurs when people are treated less favorably than others simply because of sex, colour, race, nationality, ethnic origin or disability.

An example would be a company refusing to employ a woman because she has children, but employing a man with children *or*

A care home refusing to provide specific dietary requirements relating to cultural/religious needs

Indirect Discrimination

Indirect discrimination is when a rule, which is supposed to be applied equally, in reality unfairly disadvantages one group of people.

An example would be a company advertising a job saying that only people with English as their first language should apply. This indirectly discriminates against people who have enough English to do the job, but for whom English is their second language *or*

Stating that service users can only access a specified G.P or consultant. This may indirectly discriminate against a person who would only access a service from "say" a female G.P or consultant.

4. EQUAL OPPORTUNITIES POLICY

DRH is committed to a policy of equal opportunities for **all** and requires that all employees and service users abide by and adhere to this general principle, and to the requirements of the Code of Practice laid down by the Equal Opportunities Commission and the Commission for Racial Equality. In all DRH homes:

- Discrimination on the grounds of race, colour, ethnic or national origin, religion, disability, special needs, gender, sexual orientation, marital status or membership or non-membership of a trade union will not be practiced nor tolerated
- DRH expects all employees of whatever grade or authority to abide by and adhere to this general principle.
- Staff will be promoted, employed and treated fairly on the basis of their ability and merits, and according to their suitability and no one will be disadvantaged by a condition or requirement, which is not, justified by the genuine needs the post.
- Service users will be provided with a service that meets their identified needs and preferences. Preferred lifestyle plans will reflect the requirements of the equal opportunities policy.
- DRH is committed to challenge any form of discrimination it encounters.
- In order to provide equal employment and advancement, opportunities to all individuals, employment decisions will be based on merit, qualifications and abilities
- Employees with concerns about any type of discrimination within DRH are encouraged to bring these to the attention of their manager. Service users should be assisted to voice any similar concerns.
- Any breaches of this policy should be reported to a senior member of staff or appropriate manager. Breaches of the policy will be dealt with through the disciplinary procedures.
- Whilst it is expected that all staff will accept personal responsibility for the practical application of the Policy, lead responsibility for its implementation rests with the Chief Executive. He will be responsible for monitoring the operation of the Policy for service users, employees and job applicants, and for initiating periodic audits.

5. RECRUITMENT AND SELECTION

The intention of the Recruitment Procedure is to ensure:-

- the most appropriate response to any employment vacancies within DRH
- that candidates of the highest quality apply for and are appointed to the appropriate job vacancies
- selection is irrespective of sex, colour, race, nationality, ethnic origin or disability.

The selection process is of crucial importance. The effectiveness of this Policy will be determined, to a great extent, by this aspect of the Employment Procedure. DRH will endeavour, through appropriate training, to ensure that employees making selection decisions will not discriminate, whether intentionally or unintentionally in making these decisions.

Reference to the Recruitment and Selection Procedure must be followed on each occasion that a job vacancy occurs. The Procedure envelops each stage that should be taken and includes:

- Stage 1 **Vacancy and advertising**
From termination of the post-holder, reviewing job description and personal specification, to advertising the vacancy

- Stage 2 **Recruitment Process**
Procedure for answering requests for application packs, Shortlisting for interview, informal visits, formal interviews and selection

- Stage 3 **The Successful candidate**
Procedure for the offer of appointment, occupational health, Criminal Records Bureau & POVA checks, appointment letter and contract, starter pack and induction.

Recruitment of Ex-Offenders

DRH will give fair consideration to applications from people who have been convicted of a criminal offence in the past. A criminal conviction need no be an obstacle to employment and DRH undertakes not to discriminate unfairly against ex-offenders. However, we encourage applicants to disclose any criminal conviction at an early stage in the application process.

As DRH supports vulnerable adults we are exempt from the Rehabilitation of Offenders Act 1974 provisions on spent convictions. This allows DRH to request job applicants to disclose any criminal records and to ask for enhanced disclosures to the Criminal Records Bureau.

Any information given by the job applicant or received from the Criminal Records Bureau will be treated in the strictest confidence. Disclosure information will be used only for the purpose for which it has been requested. Staff are reminded that it is a disciplinary as well as a Criminal Offence to pass on disclosure information to anyone who is not entitled to receive it.

We ensure that those who are involved in the recruitment process are competent to identify and assess the relevance of any past offending behaviour to the post in question.

The Chief Executive or Deputy are the only managers who may give authority for a person with a criminal record to be employed by DRH. Job applicants convicted of any of the following offences will not normally be employed by DRH:-

- Offences of a sexual nature
- Offences involving minors under the age of 18
- Drug trafficking

Any offer of employment within DRH to an ex-offender will take account of:

- The relevance of the offence to the post
- The seriousness of any offence or other matter revealed
- The length of time since the offence or other matter occurred.
- Whether the applicant has a pattern of offending behaviour or other relevant matters
- Whether the applicant's circumstances have changed since the offending behaviour or the other relevant matters.
- The circumstances surrounding the offence and the explanation(s) offered by the convicted person.

DRH Staff responsible for recruiting staff

- The Chief Executive
- The Deputy Chief Executive
- Company Accountant
- Home Managers
- Deputy Home Managers
- Liaison Officers

6. TRAINING, PROMOTION AND CAREER DEVELOPMENT

Appropriate training will be provided to enable all staff to perform their jobs safely, efficiently and to pursue career-development opportunities. DRH will take positive steps to ensure that everyone is afforded, appropriate training, and equal opportunities for promotion and career development. Equal opportunities awareness will be built into DRH's management and professional development training programmes and will be included in induction training.

Positive action to improve employment prospects for disadvantaged groups can only be taken where monitoring has shown that particular groups are under represented in particular work or grades. It should be noted that positive discrimination at the point of selection is unlawful. New staff should be encouraged to read the policy on Equal Opportunities as part of their induction process. Important government legislation:

- Equal Pay Act 1970
- Disability Discrimination Act 1995
- Human Rights Act 1998
- The Sex Discrimination Act 1975 (as amended)
- Race Relations Act 1976
- Sex Discrimination (Gender Reassignment) Regulations 1999

7. PROCEDURE FOR DEALING WITH DISCRIMINATION COMPLAINTS

Employees:

Employees who believe that they are subject to discrimination at work, either by the home or by another employee, have recourse to DRH's Grievance Procedure. Failure to comply with the Equal Opportunities Policy and proven acts of discrimination by an employee will be handled under DRH Disciplinary Procedure.

Service Users:

Service users who believe that they are subject to discrimination within a DRH home should follow the complaints procedure set out within their terms and condition of occupancy.

Complainants should, wherever possible:

- Record the details of what happened or the specific nature of the complaint
- Record details of when and where any occurrence took place
- Record the names and contact details of witnesses, if appropriate.
- All complaints will be dealt with in confidence subject to the requirements of a fair investigation and action

8. MONITORING

DRH will create and maintain employment records of all employees in order to monitor the operation of this Policy.

If prima facie evidence is found which suggests that the Policy is not being adhered to, this will be investigated and corrective action taken.

9. RESOURCING THE POLICY

Resources, both staff and finance, are allocated to ensure that the policy can be operated efficiently.

10. ASSOCIATED POLICIES

ADULTS AT RISK FROM ABUSE	POLICY NO. 2
BULLYING & HARASSMENT	POLICY NO. 11
DISCIPLINARY PROCEDURE	POLICY NO. 7
"WHISTLEBLOWING" POLICY	POLICY NO. 8
GRIEVANCE PROCEDURE	POLICY NO. 10

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