

Purpose

To comply with legislation and best practice with respect to Equality of Opportunities for clients, Service Users, employees and all stakeholders.

The aims and objectives of the Equality and Diversity Policy are:

- To encourage, promote and celebrate diversity in all our activities and services;
- To ensure equal access to jobs and volunteer opportunities;
- To ensure compliance with legislation on discrimination and equality (Equality Act 2010, Disabled Persons Employment Acts of 1944 and 1958, the Sex Discrimination Act 1975 and the Race Relations Act 1976, The Employment Equality (Age) Regulations 2006;
- To promote equal opportunities in other areas not currently covered by legislation. Examples include age, rural-urban divides, political affiliation etc;
- To create environments free from harassment and discrimination;
- To maximise the use of resources in the best interests of staff, volunteers, Service Users and stakeholders;
- To confront and challenge discrimination where and whenever it arises, whether it is between colleagues, or in any other area relating to Benchmark Corporation Ltd's work;
- To make a willingness to accept and implement this policy a necessary qualification for any position in
- Benchmark Corporation Ltd;
- To ensure, through positive action and so far as is practicable, that all Benchmark Corporation Ltd's premises and services are accessible to all people including those with disabilities;
- To ensure that employment and advancement within the organisation is determined by objective criteria and personal merit.

Scope

- All employees, volunteers and Service Users.

Policy***Introduction***

Benchmark Corporation Ltd strives for high standards both as an employer and as a provider of services. In so doing, we recognise the need for encouraging diversity and wholeheartedly support a policy of equal opportunities in all areas of our work and responsibilities.

Benchmark Corporation Ltd anti- discrimination legislation. The policy will also address anti-discrimination issues involving areas that currently fall outside any legislation.

Failure to follow the procedures in the policy may lead to disciplinary or other appropriate action. Benchmark Corporation Ltd's aims and objectives will be achieved through action planning, effective

monitoring and a willingness to tackle problems where they arise. Benchmark Corporation Ltd is committed to reviewing this policy on an annual basis. Through our training, publications, interaction with members and other activities, Fortress Care will ensure that those we work with know our statements of policy.

Fortress Care will regularly review the implementation of its Equality and Diversity Policy and strategy. Where evidence is found of ineffectiveness, immediate remedial action will be taken to ensure implementation.

Definitions

- Equal Opportunities ensure that policies, procedures and practice within Benchmark Corporation Ltd do not discriminate against the people within it and those who come into contact with it. It is about treating people fairly and equally regardless of who they are, their background, culture, colour or their lifestyle.
- Diversity ensures that all people are valued as individuals and are able to maximise their potential and contribution to Benchmark Corporation Ltd and to the community. It recognises that people from different backgrounds can bring fresh ideas and a different approach, which can make the way we work and learn more fun, more creative, more efficient and more innovative and more beneficial to Fortress Care.
- Direct discrimination occurs when an individual is dealt with less favourably on the grounds of race, colour, nationality, ethnicity or national origin, sex, sexuality, gender reassignment and disability of any kind. It also includes
 - grounds of, for example, marital status or caring responsibility e.g children, the elderly etc; sexual orientation; age; physical, sensory or learning disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities.
- Indirect discrimination occurs where the effect of certain requirements, conditions or practices imposed by an employer or education provider has an adverse impact disproportionately on one group or other. Examples include: a rule about clothing that disproportionately disadvantages a racial group cannot be justified; requiring applicants to have British qualifications.
- Victimisation occurs when an individual is treated less favourably because that person has asserted rights under the
- Sex Discrimination Act, the Race Relations Act or the Disability Discrimination Act or acted as a whistleblower on such activity. People must be able to act against unlawful discrimination without fear of reprisals.
- Harassment means repeated, unreciprocated and unwelcome comments, looks, actions, suggestions or physical contact which is found objectionable and offensive and which might threaten an employee or participant or create an intimidating or uncomfortable environment. Harassment can be sexual, racial, directed against people with disabilities or indeed related to any characteristic exhibited by the individual. (See Benchmark Corporation Ltd Harassment Policy for guidance in cases where harassment may occur).
- Positive Action refers to measures taken in order to assist employees or learners who have been

under-represented in specific areas, to reach a level of workplace knowledge and competencies that is comparable with 'representative' employees. These measures would normally take the form of additional training and making reasonable adjustments the physical environment, job roles, assessments or documents and equipment. 'Positive discrimination' at the point of selection for work is not permissible.

- Fortress Care urges staff, whether permanent, casual, temporary or employed through an agency, and volunteers to be aware of the less obvious and insidious types of discrimination which result from general assumptions and pre-conceptions about the capabilities, attitudes , interests and characteristics of individuals.

Policy - Diversity:

Fortress Care will actively encourage diversity to maximise achievement, creativity, innovation and good practice and to bring benefits to individuals and communities.

Fortress Care encourages all people it works with and for to contribute to an environment in which people feel comfortable in expressing how they feel and what they need, knowing they will be treated with respect and that their contribution will be valued as individuals.

The way in which we work, train and learn within Fortress Care reflects both the mission and objectives of Fortress Care and the spirit and intentions of legislation that outlaws discrimination and promotes equality and diversity.

Fortress Care will make reasonable adjustments to working practices, equipment and premises and offer, where appropriate, additional support to trustees, staff and volunteers to ensure that they are able to play a full and active part in Fortress Care's work.

Fortress Care will endeavour to deliver services in a way that genuinely recognises the importance of an inclusive society that brings opportunities and access, not barriers and disempowerment to individuals.

Policy - Equal opportunities:

Fortress Care aims to be an equal opportunities employer and provider of services. No job applicant, employee, volunteer, trustee, member or Service User should receive less favourable treatment on the grounds of race, colour, nationality, ethnic or national origin; sex; marital status or caring responsibility; sexual orientation; age; physical, sensory or learning disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities. Nor will such a person be disadvantaged by conditions or requirements which cannot be shown to be justifiable. This principle applies to recruitment, promotion, transfer, training, benefits, facilities, procedures and all terms and conditions of employment.

Further, the organisation will monitor the composition of its workforce and Service User base and introduce positive action if it appears that this policy is not fully effective in all areas of its operations.

Procedure***Policy Implementation: Expectations***

Fortress Care recognises that passive policies do not provide equality and Benchmark Corporation Ltd will seek to promote equality and diversity within the following framework of responsibilities.

Responsibility for implementing and developing the policy rests with the Registered Provider (Fortress Supported Living Services Ltd Trading As Fortress Care). The overall coordinating responsibility for equal opportunities and management of diversity is delegated to the Registered Manager (Dr Godson Lawal & Mrs Naomi Lawal). However, Fortress Care believes that all who work with or for the organisation have an individual responsibility to accept the policy and ensure a personal involvement in its application and to cooperate actively to make the environment we desire a reality.

Therefore: Fortress Care expects individuals

- To cooperate with measures introduced by Fortress Care to ensure equality of opportunity, diversity, non-discrimination and positive reinforcement;
- Not to harass, abuse or intimidate any other employee, contractor/agency, stakeholder or participant
- on the grounds of race, colour, nationality, ethnic or national origin; sex; marital status, civil partnership or caring responsibility; sexual orientation; age; physical, sensory or learning disability; mental health; political or religious beliefs or non-belief; class; HIV status; employment status; unrelated criminal convictions; union activities;
- To feel sufficiently confident to inform management if they suspect discrimination is taking place in any shape or form.

Fortress Care expects our Line Managers:

- To ensure that proper records of employment decisions are maintained and consistent with this policy and regular reviews of employment practices are carried out;
- To ensure that grievances are dealt with in a fair and consistent manner and in line with Fortress Care's grievance policy and procedure;
- To ensure that individuals within their area of responsibility are aware of their legal obligations, and the organisation's equality and diversity policy;
- To actively promote the benefits of employee and participant diversity, in employment, services and training and other activities;
- To seek the views and opinions of employees, volunteers, customers and clients on the operation of the policy in his/ her locality/area of responsibility, in particular to meet the diverse needs of the users of the service;
- To offer advice and guidance to members of staff, volunteers and organisations in Fortress Care's equality and diversity policy and procedures;
- To ensure that the highest standards of Equality of Opportunities practice are observed in the delivery of Fortress Care services and to undertake training and development opportunities to ensure that competence is maintained at all times.
- The person with responsibility for Equality and Diversity will:
 - Ensure that Managers are supported in their roles with regard to the Equality and Diversity Policy and Procedures;
 - Ensure that Managers, including Registered Managers, are appraised regularly on the state of equal opportunities and diversity within Fortress Care and the public domain;
 - Ensure that the Equality and Diversity Policy and associated documents are reviewed on an annual basis and
 - any amendments or additions are cascaded to all employees, agencies and those who have a business relationship with Fortress Care.
 - Review and approve policies, procedures and practices that impact on equal opportunities and diversity in practice.
 - Coordinate the delivery of an equality and diversity strategy and action plan to be monitored and reviewed on a regular basis.
 - Facilitate training and open discussion on equal opportunities and diversity issues as appropriate.

Policy Implementation: Recruitment and Promotion

- Fortress Care strives to ensure that our staff and volunteers reflect the wider community.
- Clear and accurate information on vacant posts should be available through advertisement, covering job descriptions, person specifications and interview arrangements. Vacancies should be advertised sufficiently widely to reach the widest possible range of candidates, either internal and/or external with positive action taken into account.
- All recruitment material should not imply any preferred group, unless a genuine occupational qualification exists, limiting a post to a particular group.
- Applicants will be informed, through all recruitment material of Fortress Care's commitment to equal opportunities and diversity and the existence of this policy.
- Person specifications may include 'essential' and 'desirable' requirements that are necessary and justifiable. Care and, where necessary, advice is needed to ensure that these are not discriminatory.
- Staff and volunteers should be encouraged to discuss their development and training needs through a process of regular support and annual appraisals to include an annual skills audit of employees.
- Job titles that are discriminatory should be avoided.

Policy Implementation: Interviews and Selection

- In line with the intentions of this policy, interviewing and selection policies and processes must take care to reflect the gender, disability and ethnic makeup of Fortress Care when selecting the panel.
- The short listing panel or person will not select candidates on the basis of the gender, name, possible disability or age of the candidate.
- The interview panel or person must take extreme care not to ask discriminatory questions unrelated to the requirements of the job, e.g. race, colour, nationality, ethnic or national origin; sex; marital status or caring responsibility; sexual orientation; age; physical, sensory or learning disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities.

Policy Implementation: Training

- In line with the intentions of this policy, Fortress Care will not discriminate in the provision of training courses, promotion, mentoring, secondment or other opportunities wherever possible.
- Appropriate training will be provided to enable staff and volunteers to perform their jobs effectively. The training offered will take into account the needs of all people.
- Briefing on this policy will form part of the first day Induction Procedure for all staff, including senior staff, and
- volunteers.

Policy Implementation: Service Users

- Fortress Care strives to ensure that our Service Users reflect the wider community .
- Fortress Care strives to ensure that our Service Users are aware of their responsibilities to comply with the equality and diversity policy in their relations with other Service Users, contractors/agencies, the family and visitors of other Service Users, and staff.
- Clear and accurate information on vacant rooms or services available should be publicised through open advertisement. Vacancies should be advertised sufficiently widely to reach the widest possible range of potential Service Users and their carers.
- All advertising or informational material should not imply any preferred group, unless a genuine qualification exists limiting a vacancy to a particular group, such as a condition of registration or the content of the Statement of Purpose or Service User Guide.
- Applicants for vacancies will be informed, through all promotional and informational material of Fortress Care's commitment to Equal Opportunities and Diversity and the existence of this policy, and will make it clear that the policy applies to Service Users and their families as much as it does to employees and other stakeholders.
- Person specifications may include 'essential' and 'desirable' requirements that are necessary and justifiable. Care and, where necessary, advice is needed to ensure that guidelines for admission are not discriminatory and are in line with the laid down criteria.
- Vacancy and service descriptions and titles that are discriminatory should be avoided.

Policy Implementation: Enforcement

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- Fortress Care recognises the need for a continuing commitment to genuine equal opportunities and diversity within the organisation. The effectiveness of the policy's aims and objectives can only be judged by how the policy operates in practice.

Policy Enforcement – Grievances

- Any staff member or volunteer who feels that they have been a victim of unlawful discrimination or unfairly treated in a way contrary to the intention of this policy should raise the issue through Fortress Care's established Grievance Procedure.
- Any Service User who feels that they have been unfairly treated in a way contrary to the intention of this policy should make a complaint through Fortress Care's Registered Manager, who must report

any such complaint to the Registered Provider. If the complaint is about the Registered Manager, this should be made directly to the Registered Provider.

- Any job applicant who believes that they have been treated unfairly and contrary to the intention of this policy should raise the issue with the Registered Manager or the Registered Provider.
- All incidents of direct or indirect discrimination by staff are disciplinary offences and will be dealt with under the Disciplinary Procedure.
- All incidents of direct discrimination by Service Users will be dealt with in the first instance by the Registered Manager, and in the event of a failure to agree satisfactory remedies, will be dealt with under the terms of the Service User agreement/contract.
- Incidents of victimisation, harassment or bullying will be dealt with in accordance with Fortress Care's
- Harassment Policy and Procedure. Where incidents of victimisation and harassment by employees are proven, the issue will be dealt with under Fortress Care's Disciplinary Procedure. Where incidents of victimisation and harassment by Service Users are proven, the issue will be dealt with under Benchmark Corporation Ltd's Terms and Conditions of Residency.
- Fortress Care will not treat lightly or ignore grievances from members of disadvantaged groups on the assumption that they are over-sensitive about discrimination. All complaints / grievances will be dealt with consistently.

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Policy Enforcement – Disciplinary Procedure

- Any member of staff found to be in breach of this policy will be subject to disciplinary action in line with the Standard Terms of Employment.
- Any volunteer found to be in breach of this policy will be counseled on their actions and may, where necessary, be removed from Fortress Care's volunteer register.
- Any Service User found in breach of this policy will, where appropriate, be counseled on their actions and may, where necessary, be refused future services from Fortress Care.

Policy Enforcement – Monitoring

- In Fortress Care's view the collection/analysis of data is vital in informing change and improving performance. Where appropriate, statistics on Fortress Care's services will be collected and analysed in relation to equality and diversity matters. We will review employee turnover and seek information on reasons for leaving through exit interviews. Local and national data or statistics will be used to benchmark our performance.
- The Registered Provider and Registered Manager will annually review equality of opportunity relating to Fortress Care.
- Corporation Ltd services. Recruitment and selection procedures will be monitored and reviewed annually by the relevant Manager who will report to the Registered Provider. All aspects of personnel policies and procedures shall be kept under review in order to ensure that they do not operate against the Equal Opportunities Policy.

- In order to determine the impact of this policy it is important that a monitoring system is developed, which will measure commitment, progress and effectiveness and good practice. The Diversity and Equality Policy will be monitored and reviewed as follows:
 - The policy will be an annual agenda item at Fortress Care's quality team meetings.
 - The relevant manager will undertake for Fortress Care an annual policy review. All relevant parties will be encouraged to submit comments for consideration.
 - Where it appears that there may have been or there is a breach of the policy, the Manager will investigate the circumstances and action will be taken to counter any proven breach of policy. If the breach involves the Registered Manager, the Registered Provider will carry out the investigation.
- This may be a delegated responsibility (delete as appropriate)
- If it is found that the policy is excluding or discouraging the development of staff or volunteers or restricting Service Users, the Registered Manager must take positive action to re-adjust the policy.