

## **Equality and Diversity**

**This guidance document provides Young Epilepsy with the overall framework to meet its commitment to promoting equality, diversity and human rights. The organisation recognises the need to tackle discrimination and to promote equality between different groups whilst also addressing the diverse needs of individuals to enable all young people to reach their full potential**

### **BACKGROUND**

Young Epilepsy's approach to Equality and Diversity relates to the staff, students, partnerships and the wider community that is involved in the delivery of Young Epilepsy's work.

Young Epilepsy is committed to providing an inclusive culture which treats all individuals with dignity and respect. The organisation highly values diversity and recognises that different people bring different perspectives, ideas, histories, opinions, knowledge and cultures and these differences enhance the strength of Young Epilepsy.

### **Benefits of Equality and Diversity**

The benefits of a diverse workforce are well recognised and include a culture where difference is visibly welcomed and where people are actively included in order that they can use their unique talents to the full in the provision of a service that respects and responds to the diverse needs of the local population it serves.

Benefits for service delivery include:

- Increased confidence in services amongst service users
- Improved 'openness' about policy making
- Equitable targeted policies and procedures
- The ability to improve the delivery of suitable and accessible services that meet varied needs
- The development of good practice

Benefits for employment include:

- Encouraging the workforce to be more representative of the community it serves
- To achieve/retain 'Model Employer' status, thus attracting potential staff to the service
- Retention of staff
- Improvement in staff morale and ultimately improved patient care

## **Legal Framework**

There is an increasing range of equality legislation which the organisation needs to respond to in its employment policies and practices, and provision of services. Whilst the Charity's approach is not driven solely by legislation, it recognises the importance of ensuring that Young Epilepsy can meet its duties under equality legislation and aims to follow the good practice set out in the statutory codes of practice which accompany the legislation.

The relevant legislation includes:

- Equality Act 2010
- Autism Act 2009
- Childrens Act 1989

This legislation is underpinned by Human Rights as set out in the Human Rights Act 1998.

The Charity's approach to Equality and Diversity was developed as part of our internal quality assurance process to ensure that a high quality standard of service is maintained and to meet the requirements of government policies and initiatives. This policy should be read in conjunction with other Young Epilepsy policies and procedures, including:

- Behaviour Management
- Admissions
- Disciplinary
- Exclusion
- Assessment, Recording and Reporting
- Induction

## **Statement of Approach**

The overall objective of Young Epilepsy's approach to Equality, Diversity and Human Rights is to achieve the following in employment policies and practices, in services, and in engagement with partners and with the communities across the Trust's region.

- Develop an organisational culture which embraces an inclusive approach
- Eliminate unlawful discrimination and harassment
- Promote equality of opportunity
- Promote good relations and positive attitudes between people of diverse backgrounds
- Foster a culture of respect and understanding between people of diverse cultures, backgrounds, circumstances and identities

The organisation recognises that:

- discrimination may occur on more than one ground at the same time
- People have a range of diverse needs and services should be designed or delivered in different ways to respond to these needs

## **Equality and Diversity Mission Statement**

***Young Epilepsy aims to ensure that no job applicant, employee, volunteer, contractor, student, patient or service user receives less favourable treatment on any grounds which cannot be shown to be justified. This covers race, colour, nationality, ethnic or national origin, religion or belief, gender, marital status, responsibility for children or other dependants, disability, sexual orientation, gender reassignment, age, trade union membership or economic status, political activities, social class, or where the person lives.***

## **Scope**

This approach applies to all day and residential students, the staff working within the organisation including employees, contractors, volunteers and staff from other organisations working on Trust premises. It also applies to patients and visitors.

The guidance in this document will apply to all organisation premises and all staff working in other premises, including any place where the occasion can be identified with either the requirements of Young Epilepsy or with social events linked to the organisation.

## **Intentions**

A number of more detailed aims have been identified covering general aims, services and employment.

Young Epilepsy will:

- Incorporate consideration of equality, diversity and human rights principles from the onset in all its policies, plans, strategies and services
- Undertake equality impact assessments to measure the impact of policies and services and to determine the needs of its employees, patients, service users and the public
- Identify equality and diversity outcomes it requires for employees, patients, service users and the public as necessary
- Reflect the diversity of the geographical areas it serves in publications, events and other marketing and communications activities
- Follow the social model of disability
- Apply the principles of this policy to suppliers of goods and services to the Trust

The aims relating to service provision are to:

- Provide appropriate, accessible and effective services and facilities to all sections of its communities without discrimination or prejudice
- Provide clear information about its services in appropriate formats or languages which meet people's needs
- Monitor its services to ensure that all sections of the community are receiving fair access and outcomes and take action to address any inequalities that are apparent
- Consult with and involve all sections of the community when making decisions about services
- Respond promptly and fairly to any complaints received about its services including those relating to discrimination

The aims in relation to employment are to:

- Ensure that its employment policies and procedures do not discriminate directly or indirectly against any group or individual on unjustifiable grounds
- Work to achieve a workforce that represents the community it serves
- Monitor the recruitment and selection processes, training and development opportunities, disciplinary, grievance, bullying and harassment and capability procedures by ethnic group, disability, gender, age, sexual orientation and religious belief and take action to address any inequalities that are apparent
- Promote a culture of fairness and respect in its employment policies, procedures and practices
- Provide appropriate training for employees at every level on equality, diversity and human rights issues
- Protect employees from bullying, harassment and violence and investigate all claims of bullying and harassment that are made
- Respond to the particular needs of employees including those relating to ethnic group, disability, age, gender, sexual orientation or religious belief

## **Responsibilities**

Young Epilepsy takes the duties placed on it by legislation on race, disability, gender, age, religion/belief and sexual orientation. It is committed to applying good practice to all the equality areas to ensure equity of health outcomes and employment.

The following groups and individuals are responsible for delivering assurance to the Trust Board that the organisation is meeting its equality, diversity and human rights objectives:

The Board of Trustees  
The Executive Body  
The Education Governing Body  
The E&D Committee  
Executive E&D Champion  
Trustee E&D Champion  
Directors and Managers  
HR Department  
Employees

The Board of Trustees has overall responsibility for the organisation's commitment to working in line with the principles of Equality and Diversity. It will also consider recommendations made in relation to any further or other steps which are considered desirable in view of the organisation's duties to promote equality and tackle discrimination and review and amend the scheme.

The Executive Body will implement and monitor progress of the Equality and Diversity Action Plan and annual objectives on behalf of the Trust Board by oversight of the minutes of the meetings of the E&D Committee on a regular basis.

The E&D Committee is responsible for providing assurance that Young Epilepsy is delivering on both its general and specific equality duties and taking other steps to promote equality and tackle discrimination.

The Executive and Trustee E&D Champions are committed to the agenda and will ensure that it is embedded, promoted and managed appropriately within Young Epilepsy. The Executive E&D Champion will have responsibility for chairing the E&D Committee.

Directors/Managers are required to ensure that the Charity's approach to Equality and Diversity is observed and applied consistently and fairly within their areas of responsibility.

The Human Resources Department will be responsible for ensuring the implementation of this policy, advising managers, staff and trade unions on the Charity's approach to Equality and Diversity and its interpretation, providing training and advice to managers and staff, ensuring that all complaints of discrimination or harassment are dealt with in a fair and consistent manner and that remedial action is taken where necessary.

Employees should ensure that their behaviour at work creates an environment which is free from any form of harassment, victimisation and all other forms of

discrimination. Employees should be aware that if they are involved in discriminatory actions or practice they may not only face disciplinary action but also legal proceedings against themselves as individuals.

### **Data Collection**

As part of E&D activity, it is imperative that Young Epilepsy collect relevant and appropriate data on all students and staff to inform the E&D agenda. Examination of the resulting data sets will allow the organisation to undertake gap analyses to identify issues that require particular redress.

The Data Collection Format for Young Epilepsy is available on the Intranet.

Data collection and analysis will be agreed in line with relevant policies and procedures and will be reported as outlined below.

### **Equality Impact Assessment**

It is a requirement to complete and publish equality impact assessments. As an organisation providing services to the public sector, Young Epilepsy have obligations to promote equality and treat people with dignity and respect in terms of provision of services and how we operate as an employer.

The purpose of an equality impact assessment (EIA) is to help demonstrate that different needs are taken into account in planning and delivery of services and implementation of policies and procedures.

EIA is a method of ensuring that services are inclusive and of equal benefit to different groups.

An equality impact assessment is required when:

- developing a new piece of work
- amending or reviewing an existing piece of work
- commissioning a new service
- reviewing delivery of an existing service

The process of EIA is defined in the EIA Guidelines which outline the way in which the assessment should be undertaken. An EIA template is available on the intranet.

Young Epilepsy commits to the use and publication of EIAs for all policies and for relevant procedural documentation.

### **Publication of Equality and Diversity Activity**

As a component of the E&D agenda, it is essential that activity and outcome of activity is reasonably and appropriately published to allow student, staff and public access. The publication of activity will be based on the following three areas:

## EIA

All EIA's undertaken will be published on the E&D section of the website and the intranet

## Data Collection

Findings from data collection activity will be made available on the website and the intranet to allow access for interested parties

## E&D Plans

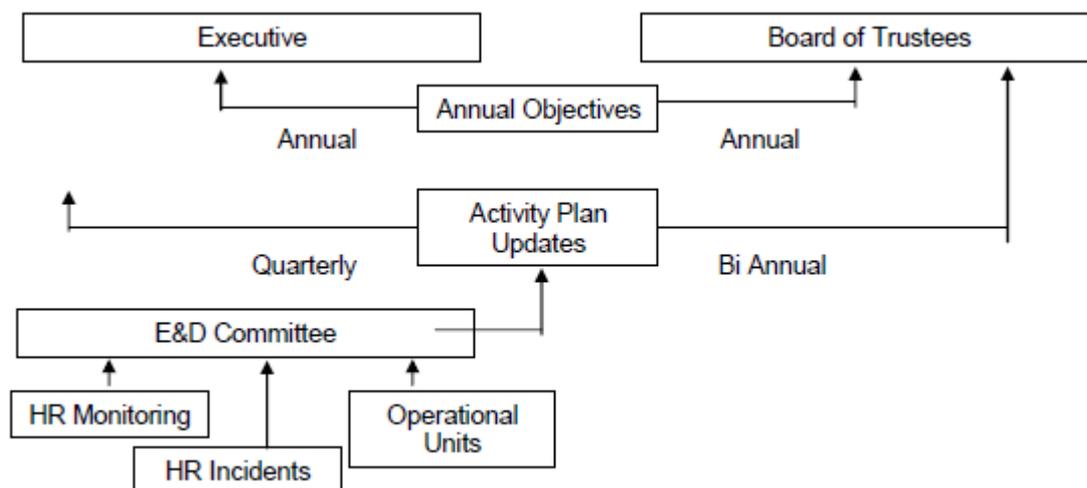
From April 2012 annual E&D plans will be compiled and will be made publicly available to interested parties

## **Planning of Activity**

The E&D Committee will present each year a plan for forthcoming E&D activity to span the succeeding twelve month period. This plan will be informed from data collection, audits and organisational strategy. This plan will be ratified by the Board of Trustees and the Executive.

## **Reporting Frameworks**

The reporting frameworks can be summarised as follows:



## Definitions

The following is a list of terms with definitions that appear in this and associated equality and diversity documentation.

Term	What it means
Access	The extent to which people are able to receive the information, services or care they need and are not discouraged from seeking help (e.g. premises suitable for wheelchairs; information in Braille/large print and other formats and languages; and the provision of culturally appropriate services).
Ageism	Discrimination against people based on assumptions and stereotypes about age.
Black and Minority Ethnic (BME)	Term currently used to describe range of minority ethnic communities and groups in the UK – can be used to mean the main Black and Asian and Mixed racial minority communities or it can be used to include all minority communities, including white minority communities.
Champion	Someone who is appointed to stand up for the interests of a particular user group or issue (e.g. Equality and Diversity).
Commissioning	The process of specifying, purchasing and monitoring services to meet the needs of the local population.
Community	Refers to a group of people or general population but will vary depending on the context. A wide community may extend across the local geographic region to the whole of the UK. An example of a more narrow community would be the community of young people living together in a residential house. The Young Epilepsy community would extend to all students, patients and staff.
Compliance	To make sure the Trust meets the requirements of different Equality and Diversity legislation.
Consultation	Asking for views on services or policies from service-users, staff, decision-making groups or the general public. Consultation can include a range of different ways of consulting, e.g. focus groups, surveys and questionnaires or public meetings.
Culture	Relates to a way of life. All societies have a culture, or common way of life, which includes: Language — the spoken word and other communication methods Customs — rites, rituals, religion and lifestyle Shared system of values — beliefs and morals Social norms — patterns of behaviour that are accepted as normal and right (these can include dress and diet).

Direct Discrimination	Treating one person less favourably than another on the grounds of race / disability / gender / age / religion or belief / sexual orientation or other grounds.
Disability	The Disability Discrimination Act 1995 defines disability as 'a physical or mental impairment that has a substantial and long term adverse effect on a person's ability to carry out normal day-to-day activities'.
Discrimination	Unfair treatment based on prejudice. In health and social care, discrimination may relate to a conscious decision to treat a person or group differently and to deny them access to relevant treatment or care.
Diversity	Appreciating diversity goes beyond the mere recognition that everyone is different; it is about valuing and celebrating difference and recognising that everyone through their unique mixture of skills, experience and talent has their own valuable contribution to make.
Duty	Under equalities legislation public authorities have gender duties and specific duties. These are things that have to be done by the authority in order to meet with the requirements of the law.
Equal Opportunities	This is a term used for identifying ways of being disadvantaged either because of, for example, race, disability, gender, age, religion/belief or sexual orientation. 'Equal Opportunities' is an attempt to provide concrete ways to take action on the inequalities revealed by analysis of the differences and barriers that exist for people in the above groups.
Equalities	This is a short hand term for all work carried out by an organisation to promote equal opportunities and challenge discrimination, both in employment and in carrying out functions and delivering services.
Equality	Equality is about making sure people are treated fairly and given fair chances. Equality is not about treating everyone in the same way, but it recognises that their needs are met in different ways.
Ethnicity	A sense of cultural and historical identity based on belonging by birth to a distinctive cultural group.
Gender	Gender options are male or female
Gender Dysphoria	Gender dysphoria is a condition in which a person feels that they are trapped within a body of the wrong sex.
Genuine Occupational Requirement (GOR)	In strictly limited situations, each piece of anti-discrimination legislation allows for a job to be restricted to a person of a particular race, disability, gender, age, religion / belief, sexual orientation if it is proportionate to apply a GOR to the job.

Harassment	Behaviour which is unwelcome or unacceptable and results in the creation of a stressful or intimidating environment for the victim amounts to harassment. It can consist of verbal abuse, racist jokes, insensitive comments, leering, physical contact, unwanted sexual advances, ridicule or isolation.
Homophobia	An irrational fear of, aversion to, or discrimination against people who are gay and homosexual.
Indirect Discrimination	Setting rules or conditions that apply to all, but which make it difficult for a group to comply with on the grounds of race, disability, gender, age, religion or belief, or sexual orientation.
Institutional Racism	Occurs when the systems and procedures in an organisation discriminate against a person – or a group of people – on the basis of race.
Interpreting	The conversion of one spoken language into another, enabling communication between people who do not share a common language.
LGB	Lesbian, Gay and Bisexual
Monitoring	The process of collecting and analysing information about people's gender/racial or ethnic origins/disability status/sexual orientation/religion or belief/age to see whether all groups are fairly represented.
Multicultural	Of, or relating to many cultures; including people who have many different customs and beliefs. For example, Britain is increasingly a multicultural society.
National Origin	Relates to the country where someone was born, regardless of where they are now living and their current citizenship.
Positive Action	<p>Activity intended to improve the representation in a workforce where monitoring has shown a particular group to be under-represented, either in proportion to the profile of the total workforce or of the local population.</p> <p>Positive action permitted by the anti-discrimination legislation allows a person to:</p> <ul style="list-style-type: none"> <li>• provide facilities to meet the special needs of people from particular groups in relation to their training, education or welfare, and</li> <li>• target job training at people from groups that are under-represented in a particular area of work, or encourage them to apply for such work. Positive action is not the same as positive discrimination.</li> </ul>

Positive Discrimination	Is currently illegal and means selecting someone for a job / promotion / training / transfer etc purely on the basis of their race, disability, gender, age, religion or belief, or sexual orientation, and not on their ability to do the job.
Prejudice	Is a negative assumption or judgement about a person – or a group of people – that we do not know.
Race	A human population considered distinct based on physical characteristics such as skin colour. This term is often interchanged with ethnicity. Ethnicity is a term which represents social groups with a shared history, sense of identity, geography and cultural roots which may occur despite racial difference.
Racial Group	A group of people defined by race, colour, nationality and ethnic or national origins. All racial groups are protected from unlawful racial discrimination.
Racism	Belief (conscious or unconscious) in the superiority of a particular race, leading to acts of discrimination and unequal treatment based on an individual's skin colour or ethnic origin or identity.
Religion	The term religion – sometimes used interchangeably with faith or belief system – is commonly defined as belief concerning the supernatural, sacred, or divine, and the moral codes, practices and institutions associated with such belief.
Sexism	A prejudice based on a person's gender in which one gender is seen as inferior. Also may be used to describe discrimination on grounds of gender.
Sexual Orientation	<p>Within the sexual orientation regulations, sexual orientation is defined as:</p> <ul style="list-style-type: none"> <li>• An orientation towards persons of the same sex (lesbians and gay men)</li> <li>• An orientation towards persons of the opposite sex (heterosexual)</li> <li>• An orientation towards persons of the same sex and opposite sex (bisexual)</li> </ul> <p>It is often a preferable term to use to that of sexuality.</p>
Sexuality	This term refers to the general sexual preferences of people i.e. both lesbian and gay and heterosexual.
SLAs	Service Level Agreement is a form of contract between two parties.
Social Model of Disability	A model created and endorsed by disabled people internationally, this emphasises the barriers and structures which exclude disabled people, rather than their disabilities.
Stereotypes	Generalisations concerning perceived characteristics of all members of a group – rather than treating people as individuals.
Transsexual / Transgender People	Transgender, transsexual or trans person describes a person who appears as, wishes to be considered as, or has undergone or is undergoing surgery to

	become a member of the opposite sex.
Victimisation	Treating people less favourably because they have made a complaint or intend to make a complaint about discrimination or harassment.
Workforce Profile	The demographic of the people who work for an organisation. Analysing the workforce profile allows us to see how many people from different groups work for the organisation, e.g. how many men, how many women, how many disabled people, how many people from different ethnic groups, how many lesbian and gay people. It assists us in our target to have a diverse workforce which meets the needs of the communities we serve.

---

This guidance document is agreed by the Executive Management Team and will be implemented by all departments.

Signed: .....

Date: .....

**Carol Long**  
Chief Executive Officer

Date of next review: 1 December 2016