

Positive Options Limited

Policy on Equality and Diversity

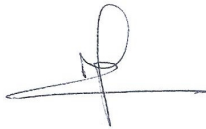
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Document Status

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Terminology Used in this Policy

References to Positive Options and its purpose

Positive Options Limited provides a range of specialist services to organisations in the education, social and health care sectors that support the organisation, its staff, and other carers in the course of their work with people. Positive Options' philosophy and training practices are based upon the principles of person-centred thinking, action and excellence. The Company is registered as a limited company in England. Positive Options Limited is referred to in this Policy document as *Positive Options* or *the Company* or *the Organisation*.

References to the Workforce and what and who constitutes it

Positive Options operational practices mean that it both employs staff directly and subcontracts aspects of its operations to independent subcontracted suppliers. The term *workforce* is used in this policy to characterise and include both directly employed and subcontracted supplier personnel unless there is specific reference to one or the other group. Due to employment legislation aspects of this policy will exclude the rights of subcontracted suppliers (as independent contractors). However, the Company is committed to enabling opportunities where it is reasonable and fair to do so and is unlikely to breach employment law.

References to Commissioners, Clients and Customers

Where the policy refers to *commissioners* it is referring to *paying clients or customers* of Positive Options, whereby Positive Options is contracted to provide education and training and/or other services.

References to People who use the services of Commissioning Organisations

Where the policy refers to *service users* it is referring to *people who need to use public or other services for their own wellbeing and/or recovery*; in some services such individuals will be referred to as *clients* and in others *patients*. We intend to use the term to encompass people of all ages, including children and young people who might be pupils or students in educational establishments.

1. **Purpose**

This policy confirms Positive Options commitment to equal opportunities and to valuing diversity in its workforce. It also outlines the fair employment practices and monitoring processes that it is committed to putting into place to support this aspiration.

2. **Scope**

This policy applies to the workforce and potential employees or subcontracted suppliers to the Company together with anyone else working in a temporary or permanent capacity on Positive Options premises or during its education, training and other service activities.

3. **Lead Officer**

General Manager.

4. **Date of Initial Policy**

13 March 2006.

5. **Date of Most Recent Revision**

14 December 2009.

6. **Approving Body**

Company Board.

7. **Monitoring Body**

Company Board.

Aspirational Outcomes

7.1 There are no reports of unfair or discriminatory practices; instead there are positive accounts of respectfulness and equitable conventions being applied by the Company.

7.2 The employment pathway adopted by the Company meets statutory and legislative requirements.

7.3 The breadth and diversity of our workforce allows us to work effectively in our communities and with our commissioners.

7.4 The Company Board is active in receiving Annual Equal Opportunities Monitoring (EOM) Reports and reviewing relevant aspects of the Annual Workforce Survey and recommending and then monitoring action as a result of findings that fall short of the standards contained in this policy.

8. **Date of Next Scheduled Review of the Policy**

December 2011.

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9. Policy Statement

- 9.1 The Company is committed to building a workforce that allows us to work effectively in our communities and with our commissioners; valuing the benefits brought by access to a wide range of individual backgrounds, experience and skills. We aim to create an organisation that promotes equality and is free from discrimination and harassment, where all staff can fulfil their full potential in an environment of fairness and with dignity and respect. What Positive Options states its own intentions to be it will also promote and encourage the fostering of by the staff of other organisations that it is commissioned to provide services to and who in turn provide services to (service) users.
- 9.2 Everyone working in or coming into contact with Positive Options will be treated fairly and valued equally, regardless of age, disability, race, nationality, ethnic or national origin, gender, marital status, religion, beliefs, sexual orientation, gender reassignment, domestic circumstances, carer responsibilities, social and employment status, HIV status, political affiliation or trade union membership.
- 9.3 The Company will ensure that its employment practices comply fully with equal opportunities legislation including that relating to sex, race, disability, equal pay, harassment, part-time working, sexual orientation, and religion or belief, and associated codes of conduct relating to equal opportunities, age diversity, racial equality, disability discrimination and harassment.
- 9.4 Further information on the process for addressing discrimination, harassment and victimisation is available in the Company's Discrimination, Bullying, Harassment and Victimisation Policy.

10. Responsibilities

10.1 The Company:

Positive Options Company Board has overall accountability for the implementation of this policy and in particular, a responsibility to:

- 10.1.1 Foster a culture of tolerance, which embraces and values diversity and encourages equal opportunities best practice.
- 10.1.2 Promote the use of this policy and ensure that training in its provisions is made available to managers and the workforce.
- 10.1.3 Establish systems for monitoring the application of the policy and take action to rectify any inequalities or deficiencies that come to its attention.

10.2 Managers:

Managers employed by the Company have a responsibility to:

- 10.2.1 Maintain an environment which activity promotes equality and diversity and is free from discriminatory practices.
- 10.2.2 Ensure that the workforce understand this policy, are aware of their responsibilities under it and know how to raise any concerns.
- 10.2.3 Apply all Positive Options policies fairly, consistently and without discrimination, especially those relating to recruitment, training, performance management and disciplinary action, sickness and redundancy.
- 10.2.4 Make sure that all complaints of discrimination are properly investigated and dealt with immediately, sensitively and confidentially.
- 10.2.5 Additionally, where there are reports of discriminatory practices in other organisations to which Positive Options are providing services to, whether these are perceived or known to be true, such matters will be brought to the attention of the commissioner in line with this policy and the policy of the organisation where such information is provided in advance to the Company.

10.3 **The Workforce:**

Directly employed staff and subcontracted suppliers have a responsibility to:

- 10.3.1 Participate and co-operate in any measure introduced by the Company to implement this policy, promote equal opportunity and prevent discrimination.
- 10.3.2 Treat all colleagues with dignity and respect and ensure that they do not discriminate, either directly or indirectly, or induce others to practice discrimination.
- 10.3.3 Challenge and report any discrimination they witness, either within the confines of the Company or during the provision of Positive Options services in other organisations and with their staff; and support colleagues who are discriminated against in complaining about such behaviour.

11. **Fair Employment Practices**

11.1 **Recruitment and Selection**

All recruitment will be carried out in accordance with the following criterion, aiming to ensure that the most suitable person is appointed fairly to the job advertised, as such, the Company will ensure:

- 11.1.1 Where identified to be appropriate, job opportunities for external applicants will normally be publicised within the local community, in the first instance.

- 11.1.2 Advertisements will always be expressed in plain language and will include a statement outlining the Company's commitment to equal opportunities and anti-discriminatory practices. Where feasible posts will be open to job share or other forms of flexible working in line with the Company's Policy for Achieving a Work-Life Balance.
- 11.1.3 Application forms will be simple and request only the minimum information to assist decision-making. Where applicants need help to complete their application or require information in a different format; for example, in large print, The Company will make every effort to accommodate this request.
- 11.1.4 Applicants will be asked to complete an EOM Form as part of their application. These forms will be used for monitoring purposes only and will play no part in the selection process.
- 11.1.5 Selection for posts will be based on objective and justifiable criteria, which are directly related to the skills required to carry out the job description and which are laid out in the person specification for the post. The Company is committed to ensure that these criteria will not unfairly exclude applicants of a particular group.
- 11.1.6 Selection procedures such as shortlisting and interviewing will be carried out by more than one person and will involve in some form, opportunities for the staff with whom the future post-holder will work to meet and contribute an opinion. Wherever practicable, the Panel organised by the Company will reflect the diversity of the workforce.
- 11.1.7 Managers will always check whether any shortlisted candidates have any particular requirements to enable a person to participate in the interview and selection process.
- 11.1.8 Interviews will be conducted objectively and consistently, dealing only with applicants' suitability to fulfil the requirements of the post and nothing more. Where tests or other selection methods are used by the Company they will provide objective measures of the applicants' ability to do the job.
- 11.1.9 Shortlisting and interview records will be completed and kept by the Company for a period of one year. All applicants are entitled to request and be given reasons for their non-selection and this entitlement will be made clear in the documentation sent to them in the information pack and reiterated at the end of interview.

11.2 Training and Development

- 11.2.1 All directly employed members of the workforce will have equal access to the development opportunities provided by the Company and will agree an annual personal development plan with their Manager to enable them to

carry out the effective performance of their job and reach their full personal potential.

11.2.2 Whilst the Company's obligations to its subcontracted suppliers differ from those of directly employed staff there is recognition of the importance of providing opportunities to these individuals that do not compromise employment regulations. An example of where it might be reasonable and appropriate for Positive Options to offer fair opportunities to subcontracted suppliers to gain skills related to delivering the Company's services might be an event facilitated by the Company and where costs are split equally between suppliers and the Company.

11.2.3 Any selection criteria applied to training courses will be reviewed to ensure that they are not directly or indirectly discriminatory. Where possible, the Company will ensure that training programmes make provision for staff that work part time or have flexible working patterns. Where a training event is opened up to suppliers as outlined in 11.2.2 the same considerations will apply.

11.3 **Career Development (Promotion)**

With the exception of re-grading to reflect increased responsibilities, all promotions will be on the basis of applying for the post through the usual selection process. Internal candidates will be treated the same way as external candidates throughout the selection process.

11.4 **Cultural and Faith Needs**

The Company recognises that some employees may have particular cultural or faith needs; for example, the need to observe prayer time and other religious rites, special dietary requirements or the need to wear specific clothing. Whenever it is reasonably practicable, the Company will endeavour to facilitate these needs being met.

11.5 **Disability**

11.5.1 The Company is committed to the employment of people with disabilities and to fulfilling the standards laid down under the Department of Work and Pensions' *Positive About Disabled People* disability standard. In line with one of the standards, all applicants with a disability who meet the minimum requirements for a post will be guaranteed an interview.

11.5.2 Where an applicant with a disability is the most suitable person for the job or a current member of staff becomes disabled, the Company will do whatever it can to make reasonable adjustments to accommodate them in the workplace. This may include:

- Adjustments to the premises (for wheelchair access etc);
- Adjustments to or purchase of equipment; for example, to accommodate visual or hearing impairment;
- Reallocation of specific duties, where the applicant or employee is able to carry out the majority of the job requirements; and
- Alterations to working hours.

12. Appeals and Complaints

- 12.1 If a member of staff feels that they have been the victim of discrimination within the Company then they will have the right to raise this as a grievance under the Company's Grievance and Disputes Procedure. Complaints of harassment should be dealt with under the Company's Discrimination, Bullying, Harassment and Victimisation Policy. No member of staff who, in good faith, complains about discrimination or harassment, shall be victimised or receive less favourable treatment for doing so.
- 12.2 If a member of staff feels that they have been the victim of discrimination by an organisation that the Company provides services to or receives services from then they will have the right to raise this with the Company's Managers and should expect the Company to pursue a grievance with the organisation concerned and according to their policy.
- 12.3 If an external applicant for a post feels that they have been discriminated against, then they will be referred to the Workforce Lead within the Company who will investigate the matter and respond to the applicant as appropriate. This entitlement will be made clear in the recruitment literature.
- 12.4 Other external individuals who have a complaint against the way that they believe they have been treated by the Company or its employees should raise this under the Company's Complaints Procedure.
- 12.5 All reports of alleged discrimination will be investigated fully. Any employee who is found to have discriminated against others will be subject to disciplinary actions under the Company's Disciplinary and Appeals Procedure. Serious breaches will be regarded as gross misconduct and will be liable to lead to dismissal.

13. Monitoring the Policy

- 13.1 In order to monitor the implementation of this policy, the Management Team will collect and analyse the following information:
- The profile of the current workforce by age, gender, contract type (full/part-time); ethnic origin, and disability.

- The profile of job applicants and appointments by gender, contract type, ethnic origin and disability.
- Internal promotions by gender, contract type, ethnic origin, and disability.
- Leavers from the Company by age, gender, contract type, ethnic origin, disability, and reason for leaving the Company.
- Participation in internal training programmes and proportions of staff with a person development plan; their contract type, ethnic origin, and disability.
- The use of formal disciplinary, sickness absence, grievance and harassment procedures by gender, contract type, ethnic origin, and disability.
- Annual EOM Reports will be provided to the Company Board to allow members to review progress.
- Monitoring of the successful implementation of this policy will also be carried out through the Annual Workforce Survey.

14. **Implementing the Policy**

14.1 **Communication**

14.1.1 The content of this policy and progress reports on its implementation will be communicated to the workforce through the range of Company briefing processes.

14.1.2 In addition, team meetings will be used as a means of raising and discussing the issues covered in this policy on a periodic basis to ensure that all staff remains fully aware of their responsibilities in relation to equal opportunities and diversity.

14.1.3 The policy will be made accessible to staff electronically.

14.2 **Training**

The workforce will receive information about this policy as part of their induction and will work in accordance with its expectations in their day-to-day practices. Where appropriate reference will also be made to the policy and its guiding principles in training offered to people as part of their ongoing employment or association with the Company.

14.3 **Annual Audit and Improvement Planning**

14.3.1 The implementation of this policy will be reviewed on an annual basis by the Company Board using the information provided in the annual EOM Report and responses to the Annual Workforce Survey.

14.3.2 Where this Review would suggest that there are areas of this policy that are not being implemented effectively or where specific groups remain under-represented in the workforce then the Workforce Lead will work with the General Manager to develop an Improvement Plan outlining how these shortcomings will be addressed. This may include initiating specific audits of practice or taking permitted positive action, such as providing specific training or development opportunities for the workforce or targeted recruitment advertising.

15. **Review of the Policy**

This policy will be reviewed and amended within two years of the approved date by the Company Board as part of the Company's policy and guidance review programme.