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| **Document name:** | Equal Opportunities in Employment Policy |
| **Document type:** | Human Resources Policy |
| **Staff group to whom it applies:** | All staff within the Trust |
| **Distribution:** | The whole of the Trust |
| **How to access:** | Intranet and internet / ward folder |
| **Issue date:** | Version 6  October 2022 |
| **Next review:** | October 2025 |
| **Approved by:** | EMT on 6 October 2022 |
| **Developed by:** | People Directorate / Policy Sub Group (consisting of staff and management representatives) |
| **Director lead:** | Chief People Officer |
| **Contact for advice:** | People Directorate |



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## EQUAL OPPORTUNITIES IN EMPLOYMENT POLICY

**1.0 STATEMENT**

The Trust will deliver equal opportunity in employment, and will ensure that no job applicant or employee receives less favourable treatment, where it cannot be shown to be justifiable, on the grounds of age, disability, marriage or civil partnership, pregnancy or maternity, race, nationality, ethnic or national origin, gender, religion, beliefs, sexual orientation, domestic circumstances, social and employment status, HIV status, gender reassignment, or political affiliation or trade union status and carers; This principle will apply to recruitment and selection, promotion, transfer, training, discipline and grievance and all terms and conditions of employment.

Policies and procedures will be developed and reviewed to ensure that individuals are selected, promoted and treated fairly on the basis of relevant aptitudes, skills and abilities.

The Trust believes in fairness and equality and aims to value diversity and promote inclusion in all that we do. This is reflected in our Mission, Vision, and Values that form our guiding principles and behaviours which includes that the Trust will be ‘respectful, honest, open and transparent’ , ‘improve and aim to be outstanding’, whilst putting the person at the centre of everything we do.

The Trust will develop plans to ensure it is compliant with the Equality Act 2010, particularly as it applies to the public sector, and to deliver The Public Sector Equality Duty

The Public Sector Equality Duty (PSED or general duty) has three aims, which the Trust is expected to take into account (demonstrate ‘due regard’) when providing its services and it is committed to:.

* Eliminating discrimination, harassment and victimisation and other conduct prohibited under the Act.
* Advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
* Fostering good relations between persons who share a relevant protected characteristic and persons who do not share it.

We will be transparent about how we respond to the PSED, setting equality objectives and ensuring we publish relevant, proportionate information showing compliance with the equality Duty,

The Trust views diversity positively and recognises that everyone is different and has a unique contribution through their experience, knowledge and skills.

**2.0 POLICY**

The Trust will:

• Continually seek to develop the potential of the workforce.

• Recognise that staff and service users represent the Community at large and that the Trust has an important role to play in ensuring its social responsibility.

• Strive to eliminate discriminatory practices and encourage good management practice.

• Recognise the legal responsibilities placed on the organisation, managers and staff under the Equality Act 2010.

• Provide all employees with equal opportunity for self-development within the Trust, removing barriers and implementing appropriate/effective training and development programmes.

• promote a work environment which is free from harassment and bullying in the workplace and where the dignity of everyone is respected (please see ‘Harassment and bullying policy and procedure’ on the Trust intranet document store).

• Trust Board will monitor and review progress on equal opportunity issues throughout the Trust no less than on a yearly basis. Care Groups and corporate functions will also review progress on their equality plans no less than on a yearly basis.

• Monitor applications for employment, ensuring that prospective job applicants are aware of the Trust's commitment to equal opportunities.

• Aim to be an exemplar employer in employing and retaining disabled people (please see ‘Staff disability and reasonable adjustments policy’ on the Trust intranet document store). By being a disability confident employer the Trust will ensure it leads the way in creating a disability-inclusive culture.

### 3.0 RESPONSIBILITIES

While the primary responsibility for ensuring that there is no unlawful discrimination rests with the employer, all employees also have a responsibility to accept their personal involvement and actions in the practical application of this document.

Should individuals feel that unlawful discrimination is taking place or unfair barriers exist regarding equal opportunity issues, they should raise the matter with their manager or People/Human Resources representative who will ensure their concern is addressed effectively and taken seriously in line with the appropriate policy or procedure (e.g. Grievance, Harassment and Bullying).

In line with the Trust’s ‘Raising Concerns’ support offer, additional support, guidance and signposting is available from the Freedom to Speak up or Equity Guardians, a Civility and Respect champion or their Trade Union representative.

All staff are expected to comply with the principles laid down in this policy.

### 4.0 RESPONSIBILITIES OF MANAGERS

The Chief Executive has the ultimate responsibility for the promotion of this Policy. The Chief Executive however, has delegated development and monitoring of equal opportunity issues to the Chief People Officer.

Our priorities are agreed and monitored by the Equality, Involvement and Inclusion Committee (EIIC), which is made up of non-executive and executive directors of our Trust Board, along with staff who support the Trust to deliver on this agenda.

The success of promoting and ensuring that the Trust's Policy is effective is particularly dependent on the skills of managers. They will, therefore, receive appropriate guidance, support and training to enable them to carry this out.

Checklist - Key Points

• Managers must uphold the principles of the Policy and apply them within their areas of responsibility.

• Managers must receive guidance/training, as appropriate, to raise their awareness of equal opportunity issues.

• Managers must promote, support, develop and enable an all inclusive environment and culture

### 5.0 DISCRIMINATION

## Key concepts

The Equality Act 2010 introduced a number of key concepts:

### Protected characteristics

The Act offers protection to people with the following ‘protected characteristics’.

* age
* disability
* gender reassignment
* marriage and civil partnership
* pregnancy and maternity
* race
* religion or belief
* sex
* sexual orientation

(NB The Trust has also chosen to adopt Carers as a protected characteristic)

Here the law makes it unlawful to discriminate *directly* or *indirectly* against an employee who has any of the protected characteristics.

**5.1 Direct Discrimination**

Direct discrimination occurs where someone is treated less favourably than another person because of one of the above categories.

### 5.2 Indirect Discrimination

Indirect discrimination occurs where a rule, policy or practice applies to everybody, but has a disproportionate impact on people with a protected characteristic. Indirect discrimination may be justified if it is applied as a ‘proportionate means of achieving a legitimate aim’.

### 5.3 Discrimination by Perception

This is discrimination against a person because others think the person possesses a protected characteristic, even if the person does not actually possess that characteristic.

### 5.4 Discrimination by Association

This is discrimination against a person because they have an association with someone with a particular protected characteristic. An example of associative discrimination might be a non-disabled employee who is a carer and is discriminated against because of action he/she needs to take to care for a disabled dependent.

**5.5 Disability Discrimination**

This is discrimination because of a failure to comply with the duty to make reasonable adjustments for a disabled person.

The Equality Act 2010 places a duty on organisations to make reasonable adjustments for disabled people, if an organisation fails to meet this duty it is discrimination. (Please see ‘Staff disability and reasonable adjustments policy’)

**5.6 Being treated unfairly because of Trade Union Membership**

Discrimination may occur when someone is treated unfairly because of their Trade Union membership.

**5.7 Being treated unfairly because of Part Time working**

The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 protects part-time workers from being treated less favourably than a comparable full- time worker.

### 5.6 Harassment

Harassment is defined as: ‘unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'.

Harassment applies to all protected characteristics except for pregnancy and maternity and marriage or civil partnership.

Under the Act:

* Employees can complain of harassment even if they don’t possess the protected characteristic or the harassment is not directed at them
* Employers can be liable for harassment of their staff by non-employees.

**5.7 Victimisation**

Victimisation occurs when an employee has made, or supported a complaint, raised a grievance (or because they are suspected of doing so) and as a result is treated less favourably. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Where there is any doubt or confusion, clarification regarding the above should be sought from your People/Human Resources Manager or the People Directorate.

**5.8 Positive Action**

The Equality Act allows action that may involve treating someone more favourably where this is a proportionate way to help members of that group overcome a disadvantage and participate more fully, or to meet the needs that they have that are different from the population as a whole. This is called ‘positive action’. Positive Action is lawful if it is undertaken within the terms of the Equality Act 2010 (ss.158 or 159 of the Equality Act).

**5.9 Positive Discrimination**

Positive discrimination means treating someone more favourably only because they have a protected characteristic, for example, setting a quota for recruitment from a specific group rather than setting in place action to support a disadvantaged group with the aim of increasing representation. Positive discrimination is unlawful and is different from positive action which is lawful.

**6.0 PERFORMANCE AND ASSURANCE**

Research shows that a motivated, valued and included workforce helps deliver high quality patient care, increased patient satisfaction and better patient safety. There are 3 key approaches which enable NHS organisations to improve the services they provide for their local communities and provide better working environments for their staff which are free of discrimination.

**6.1 Workforce Race Equality Standard (WRES)**

This WRES is a set of specific measures (metrics) that will enable NHS organisations to compare the experiences of BAME (Black, Asian, Minority and Ethnic) staff and white staff. This information will then be used by the relevant organisations to develop a local action planand enable them to demonstrate progress against the indicators of race equality. The WRES has been mandated in the NHS standard contract since 2015.

**6.2 Workforce Disability Equality Standard (WDES)**

The WDES is a set of specific measures (metrics) that will enable NHS organisations to compare the experiences of disabled and non-disabled staff. This information will then be used by the relevant organisations to develop a local action plan and enable them to demonstrate progress against the indicators of disability equality. The WDES has been mandated in the NHS standard contract since 2017.

**6.3 Equality Delivery System (EDS)**

The main purpose of the EDS is to help local NHS organisations, in discussion with local partners including local populations, review and improve their performance for people with characteristics protected by the Equality Act 2010. Using the EDS will assist NHS organisations deliver on the Public Sector Equality Duty.

Documents relating to the Trust’s position regarding the above indicators are published annually on the Trust website workforce monitoring page, details of which can be found using the following link:

https://www.southwestyorkshire.nhs.uk/about-us-2/performance/workforce-equality/

### 7.0 RECRUITMENT

The Trust recognises its responsibilities as an employer in ensuring that employees and job applicants are not disadvantaged by unjustified conditions and requirements throughout the recruitment and selection process and as employees of the Trust. This includes all aspects of employment including promotion, opportunities for training, pay and benefits and selection for redundancy.

As an equal opportunities’ employer, the Trust promotes efficient, effective, fair and consistent recruitment and selection practices for all employees and job applicants. (The Trust’s Recruitment and Selection policy is available in the document store on the Trust intranet).

**Pre-employment health questions.**

Pre-employment health questions are unlawful except for certain defined reasons to make suitable arrangements for interview or selection.

* for the purposes of equality and diversity monitoring.
* for a genuine, job-related, reason.
* to take positive action.
* to assure the employer that a candidate has a disability where the job genuinely requires the jobholder to have a disability.

The Trust is recognised as a Level 3 Disability Confident Employer, which means we are Disability Confident Leaders. The Disability Confident scheme encourages employers to think differently about disability and take action to improve how they recruit, retain and develop disabled people.

Checklist - Key Points

• Job Descriptions should not contain duties that may be regarded as directly or indirectly discriminatory.

• Qualifications should only be specified where they are a requirement of the post,

• That Job Descriptions, Person Specifications, and advertisements are drawn up without bias and reviewed when a vacancy occurs to ensure they remain relevant and flexible.

• All posts will be eligible for ‘flexible’ working and staff can request flexible working arrangements from their first day of employment.

• Consideration will be given to flexibility in working patterns, subject to the staffing needs of that particular area.

• Candidates with a disability will be offered an interview providing they meet the essential criteria for the job as stated on the person specification

• That candidates will be assessed objectively against the person specification, taking into account any reasonable adjustments that may be required for candidates with a disability.

• That interviews are undertaken fairly, with due regard to legal requirements avoiding assumptions and stereotyping about an individuals, ability, attitudes, motivation, ambition etc., based on their personal characteristics, domestic circumstances, social and employment status, HIV status, or political affiliation, or trade union status. Reasonable adjustments for interview requirements will be made as required.

• Ensure that all appointing officers have received appropriate training before they appoint staff.

• That shortlisting and interviewing is carried out by at least 2 people and wherever possible the interview panel should be as diverse as possible (for example a mix of age, gender, ethnicity, disability etc)

**8.0 OCCUPATIONAL REQUIREMENT**

Under the Equality Act 2010 there is now a single ‘Occupational Requirement’ (OR), which applies to all of the protected characteristics. Under this an employer must simply show that the requirement to discriminate is a ‘proportionate means of achieving a legitimate aim’.

An example of an OR may be where the post holder provides personal services to an ethnic group promoting their welfare and a person from that ethnic group can most effectively provide those services.

On the rare occasion a manager may wish to apply an OR to a post, this will need to be discussed with the appropriate People/Human Resources Manager and Staff Side Organisation and have the full agreement of the Chief People Officer.

### 9.0 TRAINING AND DEVELOPMENT

The Trust recognises that effective staff engagement is essential for creating a positive culture of safe, compassionate care and will not discriminate in the provision and selection for training and development programmes. Education and training is essential in achieving such a culture and our appraisal system is capable of appraising staff against the Trust values and behaviours.

Appropriate training will be offered to all employees to enable them to perform effectively in their job or to pursue job related development opportunities.

Training in Equality, Diversity and Inclusion forms an integral part of our mandatory training offer and is key in encouraging and developing an equal opportunities culture within the organisation. Other equality related training will be made available as required.

Checklist - Key Points

• Part-time staff will have the same development opportunities as full-time staff.

• There will be equal access to course places to address identified training and development needs for all employees. Individuals will not be disadvantaged by conditions or requirements, which cannot shown to be justifiable.

• All applications for course accreditation (via national bodies) will clearly identify that the Trust is striving to be an equal opportunity employer.

• Managers must ensure their support for study leave is fair.

### 10.0 CAREER DEVELOPMENT

The Trust will encourage staff to take responsibility for planning their careers by assisting them to develop their own potential.

Checklist - Key Points

• All staff will be encouraged to ensure they benefit from the performance appraisal process. This will enable them to review their skills and identify their own developmental needs in order to plan to achieve them.

• Identified training needs will be collated annually as part of the Learning Needs Analysis.

* Targetted training/development will be provided to assist staff from protected characteristic groups, where specific needs, for example leadership development, are identified.

### • Developmental opportunities, e.g. mentoring/shadowing/open learning will be available to all, as identified by their personal development plan.

### 11.0 TERMS AND CONDITIONS OF EMPLOYMENT, BENEFITS, FACILITIES AND SERVICES

The Trust will ensure it conforms with legislation in developing appropriate new terms and conditions. Benefits that are developed will be available to all employees, unless there are justifiable grounds or factors outside the Trust’s control, to prevent this (e.g. HMR requirements).

**12.0 MONITORING**

In order for the policy to be effective, monitoring of the existing workforce and applications for employment will be undertaken. Information will be requested concerning existing and prospective employees, regarding their ethnicity, sex, age, disability, sexual orientation and religion and belief. In addition to these, information will be requested for employees on marriage and civil partnership, gender reassignment and pregnancy and maternity.

Analysis of these categories will enable identification of areas of significant under, or over representation of particular groups within the employment of the Trust.

Statistical monitoring at the recruitment and selection stage will be used to review the progress of the implementation of policies directly concerned with this key area.

The monitoring procedure will involve analysing the data to draw up profiles of staff groups, departments etc. for further investigation. Monitoring of all recruitment, training, promotions, grievances, disciplinary action and leavers/exit interviews will also be undertaken. Equality data will be presented to the EIIC, WRC, Partnership Forum and the Trust Board and the Trust publishes equality workforce monitoring data on an annual basis.

Analysis will be undertaken at Directorate and departmental level and co-ordinated by the People Directorate. Trade Union representatives will be informed of the analysis outcomes.

In order to ensure equal opportunity issues are addressed throughout the Trust, the Chief People Officer will be advised of any cases of discrimination reported through the Grievance Procedure, Disciplinary Procedure, Harassment and Bullying Policy, or issues raised concerning prospective employees.

Staff Surveys will also be used to obtain feedback and the views of staff regarding equality issues.

13.0 COMPLAINTS

An employee who feels that they have been the subject of discrimination in selection, training, promotion, dismissal, transfer, other benefits or terms and conditions of service, should pursue this using the appropriate policy/procedure (e.g. Grievance, Harassment and Bullying).

A job applicant, who is not an employee, who feels that they have been the subject of discrimination with regard to employment should use the Trust’s Complaints Procedure.

# 14.0 EQUALITY IMPACT ASSESSMENT

The Trust aims to ensure that its policies promote equality. All policies must contain an Equality Impact Assessment to identify any potential inequalities and identify action plan as required.

This Policy has been subject to an Equality Impact Assessment. The expectation is that overall, the Policy will be beneficial in establishing and ensuring equality within the Trust (see Appendix 1). This will be by enabling inappropriate behaviour to be identified, challenged and changed.

**15.0 VERSION CONTROL**

This is the sixth revised version of the policy issued by South West Yorkshire Partnership NHS Foundation Trust. See Appendix 2.

**Appendix 1**

**Equality Impact Assessment template**

**to be completed for all policies, procedures and strategies**

**Date of EIA: 14.9.2022 Review Date: October 2025**

**Completed By: HR business manager**

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|  | **QUESTIONS** | **ANSWERS AND ACTIONS** |
| **1** | **What is being assessed?**  Prompt: what is the function of this document (new or revised) | The function of the revised Equal Opportunities Policy is to ensure the Trust is compliant with the requirements of the Equality Act 2010 and its obligations under the Public Sector Equality Duty (PSED) with regards to the aim as stated below. |
| **2** | **Description of the document**  Prompt: What is the aim of this document | The aim of the Policy is to support the principle of ensuring equality of opportunity in employment and to ensure that no job applicant or employee receives less favourable treatment, where it cannot be shown to be justifiable, on the grounds of age, disability, marriage or civil partnership, pregnancy or maternity, race, nationality, ethnic or national origin, gender, religion, beliefs, sexual orientation, domestic circumstances, social and employment status, HIV status, gender reassignment, or political affiliation or trade union status; This principle will apply to recruitment and selection, promotion, transfer, training, discipline and grievance and all terms and conditions of employment. |
| **3** | **Lead contact person for the Equality Impact Assessment** | People/HR business manager |
| **4** | **Who else is involved in undertaking this Equality Impact Assessment** | People Directorate colleagues, staff side, equality networks, employment policy group |
| **5** | **Sources of information used to identify barriers etc**  Prompts: service delivery equality data – refer to equality dashboards ([BI Reporting - Home (sharepoint.com)](https://swyt.sharepoint.com/sites/BIReporting) satisfaction surveys, complaints, local demographics, national or local research & statistics, anecdotal. Contact [InvolvingPeople@swyt.nhs.uk](mailto:InvolvingPeople@swyt.nhs.uk) for insight  **What does your research tell you about the impact your proposal will have on the following equality groups?** | This policy aims to specifically reduce inequality by laying down the Trust’s aims regarding equality issues and employment. It is not anticipated that this policy will have any negative impact on any protected characteristic groups.  Data is taken from the Equality Workforce Monitoring Annual Report 2022. The data is Trust wide and includes medical staff unless otherwise advised. |
| **5a** | **Disability Groups:**  Prompt: Learning Disabilities or  Difficulties, Physical, Visual, Hearing  disabilities and people with long term  conditions such Diabetes, Cancer,  Stroke, Heart Disease etc. Accessible information standard | This policy aims to specifically reduce inequality by laying down the Trust’s aims regarding equality issues and employment. It is not anticipated that this policy will have any negative impact on any protected characteristic groups  8.4% |
| **5b** | **Gender:**  Prompt: Female & Male issues should be considered | This policy aims to specifically reduce inequality by laying down the Trust’s aims regarding equality issues and employment. It is not anticipated that this policy will have any negative impact on any protected characteristic groups  Female – 79.1%  Male – 20.9% |
| **5c** | **Age:**  Prompt: Older people & Young People issues should be considered | This policy aims to specifically reduce inequality by laying down the Trust’s aims regarding equality issues and employment. It is not anticipated that this policy will have any negative impact on any protected characteristic groups  19 and under – 0.20%  20 – 29 – 13.4%  30 – 39 – 23.4%  40 – 49 – 24.1%  50 – 59 – 28.6%  60 – 69 – 9.8%  70+ - 0.5% |
| **5d** | **Sexual Orientation:**  Prompt: Heterosexual, Bisexual, Gay,  Lesbian groups are included in this  Category | This policy aims to specifically reduce inequality by laying down the Trust’s aims regarding equality issues and employment. It is not anticipated that this policy will have any negative impact on any protected characteristic groups  Gay or Lesbian– 2.4%  Heterosexual – 82.8%  Bisexual – 1.2%  Unknown – 13.6% |
| **5e** | **Religion & Belief:**  Prompt: Main faith groups and people with no belief or philosophical belief issues should be considered | This policy aims to specifically reduce inequality by laying down the Trust’s aims regarding equality issues and employment. It is not anticipated that this policy will have any negative impact on any protected characteristic groups  Atheism – 19.6%  Christianity – 46.9%  Islam – 3.7%  Unknown – 18.0%  Other – 11.9% |
| **5f** | **Marriage and Civil Partnership**  Prompt: Single, Married, Co-habiting, Widowed, Civil Partnership status are included in this category | This policy aims to specifically reduce inequality by laying down the Trust’s aims regarding equality issues and employment. It is not anticipated that this policy will have any negative impact on any protected characteristic groups  Civil partnership – 1.2%  Divorced & legally separated – 9.6%  Married – 50.1%  Single – 37.4%  Widowed – 0.9%  Unknown – 0.8% |
| **5g** | **Pregnancy and Maternity**  Prompt: Currently pregnant or have been pregnant in the last 12 months should be considered | This policy aims to specifically reduce inequality by laying down the Trust’s aims regarding equality issues and employment. It is not anticipated that this policy will have any negative impact on any protected characteristic groups |
| **5h** | **Gender Re-assignment**  Prompt: Transgender issues should be considered | This policy aims to specifically reduce inequality by laying down the Trust’s aims regarding equality issues and employment. It is not anticipated that this policy will have any negative impact on any protected characteristic groups  There is no information available in the trusts workforce monitoring data to specifically identify trans staff.  Stonewall report: *There isn’t an accurate figure for how big the trans community is. There were no questions about trans identity in the census until this year, and we’re awaiting those results. There also isn’t any existing research that covers enough people to be statistically significant.*  *The best estimate at the moment is that around 1% of the population might identify as trans, including people who identify as non-binary. That would mean about 600,000 trans and non-binary people in Britain, out of a population of over 60 million.* |
| **5I** | **Carers**  Prompt: Caring responsibilities paid or unpaid, hours this is done should be considered | This policy aims to specifically reduce inequality by laying down the Trust’s aims regarding equality issues and employment. It is not anticipated that this policy will have any negative impact on any protected characteristic groups  Carers may access additional support through the use of the staff carers passport & advice/guidance/signposting available from the staff carers network |
| **5j** | **Race**  Prompt: Indigenous population and BME Groups such as Black African and Caribbean, Mixed Heritage, South Asian, Chinese, Irish, new Migrant, Asylum & Refugee, Gypsy & Travelling communities.) | This policy aims to specifically reduce inequality by laying down the Trust’s aims regarding equality issues and employment. It is not anticipated that this policy will have any negative impact on any protected characteristic groups  **Non-medical**  Asian – 3.5%  Black – 3.4%  Chinese/other – 0.9%  Mixed – 1.4%  White – 90.7%  Not stated – 0.2%  **Medical**  Asian – 47.0%  Black – 5.4%  Chinese/other – 10.1%  Mixed – 3%  White – 34.5%  Not stated – NIL |

**Action Plan**

EIAs are now reviewed using a grading approach which is in line with our Equality Delivery System (EDS). This rates the quality of the EIA. This means that the team can review the EIA and make recommendations only. The rating and suggested standards are set out below:

* + **Under-developed** – red – **No data**. **No strands** of equality
  + **Developing** – amber – **Some census data plus workforce**. **Two strands** of equality addressed
  + **Achieving** – green – **Some census data plus workforce. Five strands** of equality addressed
  + **Excelling** – purple –**All the data and all the strands** addressed

Potential themes for actions: Geographical location, built environment, timing, costs of the service, make up of your workforce, stereotypes and assumptions, equality monitoring, community relations/cohesion, same sex wards and care, specific issues/barriers.

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| **Who will benefit from this action?** | **Tick all that apply** | **Action 1:**  **This is what we are going to do** | **Action 2:**  **This is what we are going to do** | **Action 3:**  **This is what we are going to do** | **Lead/s** | **By When** | **Update/review outcome** | **RAG** |
| Age |  | It is not anticipated there will be any negative impact; however, action will be taken if any issues raised for example through the NHS Staff Opinion Survey and Trust Wellbeing survey.  Where concerns are identified these will be addressed by appropriate actions. |  |  | People Directorate | Scheduled for review October 2025 but can be reviewed earlier as required |  |  |
| Disability |  | As above |  |  |  |  |  |  |
| Gender reassignment |  | As above |  |  |  |  |  |  |
| Marriage and civil partnership |  | As above |  |  |  |  |  |  |
| Race |  | As above |  |  |  |  |  |  |
| Religion or belief |  | As above |  |  |  |  |  |  |
| Sex |  | As above |  |  |  |  |  |  |
| Sexual orientation |  | As above |  |  |  |  |  |  |
| Pregnancy and maternity |  | As above |  |  |  |  |  |  |
| Carers |  | As above |  |  |  |  |  |  |

**6. Involvement & Consultation: New or Previous (please include any evidence of activity undertaken in the box below)**

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| Consultation was undertaken with colleagues in the People Directorate.  The policy was shared for comment and input with staff side and equality networks.  Formal consultation has taken place with employment policy group and Trust partnership forum   1. **Grading EIA assessment by equality and involvement manager**   **Name: Aboobaker Bhana**  **Date: 14/09/22**  **Rating: *Developing***  EIAs are now reviewed using a grading approach which is in line with our Equality Delivery System (EDS). The team have reviewed and rated the EIA using the following:   * **Under-developed** – red – **No data**. **No strands** of equality * **Developing** – amber – **Some census data plus workforce**. **Two strands** of equality addressed * **Achieving** – green – **Some census data plus workforce. Five strands** of equality addressed * **Excelling** – purple –**All the data and all the strands** addressed   **Comments:**  **Feedback received from consultations in the involvement section not included.**  **No examples of past learning shared from an Equality lens, including complaints**  **The new census demographic data needs to be added as soon as available in the Autumn of 2022 in the action plan** |

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| 1. **Methods of Monitoring progress on Actions**   Action will be taken if any issues raised for example through the NHS Staff Opinion Survey and Trust Wellbeing survey.  Where concerns are identified these will be addressed by appropriate actions. |

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| |  | | --- | | 1. **Publishing the Equality Impact Assessment**   The EIA will be published as an appendix to the Policy which will be available on the Trust Intranet | |

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| |  | | --- | | 1. **Signing off Equality Impact Assessment:**     Greg Moores, Chief People Officer Date: 27 September 2022 | |

***Once approved, you must forward a copy of this***

***Assessment/Action Plan by email to:***

[**InvolvingPeople@swyt.nhs.uk**](mailto:InvolvingPeople@swyt.nhs.uk)

**Please note that the EIA is a public document and will be published on the web.**

**Failing to complete an EIA could expose the Trust to future legal challenge.**

**Appendix 2**

**VERSION CONTROL SHEET**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Version** | **Date** | **Author** | **Status** | **Comment / changes** |
| 1.0 | March 2011 | James Corson |  | Not the first version of the policy, but the first fully revised version of the Policy since new Foundation Trust created 1/6/09. Changes include revising in the light of the 2010 Equality Act, reformatting the document, minor updating and the addition of EIA and version control sheet |
| 2.0 & 2a | March 2012 | Claire Hartland |  | Policy revisited and minor updates made. NHS Barnsley Equality, Diversity and Human Rights Policy considered. |
| 3.0 | July 2012 | Claire Hartland/James Corson |  | Updates and additions made including clarifying some aspects of the Equality Act 2010. This single procedure now replaces all the previous disciplinary documents for the forerunner organisations: Barnsley, Calderdale and Wakefield PCT’s |
| 4.0 | Jan 2016 | Janet Hirst, Assistant Director of HR – Operations |  | Reviewed by Executive Management Team February 2016. Review date extended to July 2017. |
| 5.0 | June 2018 | Claire Hartland |  | Updates and additions made including EDS2, WRES and WDES |
| 6.0 | July 2022 | Claire Hartland | current | Policy revisited and updates made |