

## Equality Policy 2015- 2018

### Promoting Equality, Diversity and Human Rights

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### Dissemination and Implementation

Responsible person for coordinating dissemination and implementation		Charlotte Johnson, Head of Education, Learning & Development	
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### Consultation

<b>List of those consulted</b>	Expert patients, staff and managers
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1	New regulation/guidance, change of practice etc		00/00/0000
1.1	Updated statement reflecting new strategic goals from the Clinical Strategy	Charlotte Johnson	May 2015

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## **1.0 INTRODUCTION**

**1.1** The Promoting Equality, Diversity and Human Rights Policy and Equality Policy, covers a three-year period and provides a unified governance structure for tackling discriminatory practices and encourage inclusion.

**1.2** Whittington Health's strategic vision is to be an outstanding provider of high quality joined up healthcare to local people in partnership with GPs, councils, and local providers by providing safe, personal, co-ordinated care for the community we serve. Our mission is to help local people live longer, healthier lives. To achieve this, the organisation must constantly improve both access to services, and the health outcomes patients and service users receive.

**1.3** We must also ensure that Whittington Health is an organisation that staff want to work for: one where their unique contributions are valued and where people are free to develop their full potential.

**1.4** In addition, despite improvements and new legislation in recent years, there remains an intractable inequality within health across London. This scheme will enable us to best serve these communities, close the gap, and deliver our commitments.

**1.5** Two measures take precedence – firstly, feedback from patients and their families and secondly, gaining feedback from our employees and staff surveys. Implementing discussions and forums with our communities will ensure patients' and their families' voices are heard and used to help us to deliver better services to ensure that no community is left behind or disadvantaged.

**1.6** While promoting equality is central to delivering Whittington Health's strategic vision, in the form of our Clinical Strategy, the organisation also has a number of legislative and regulatory obligations it has to fulfil. These are outlined in the table enclosed (note that this list is not exhaustive). Whittington Health's equality objectives and associated actions are incorporated in the Clinical Strategy. By complying with our duty under the Public Sector Equality Duty and implementing the principles of the Equality Delivery System 2 (EDS2) we will provide a framework for Whittington Health to ensure that:

- Our commitment to eliminate health inequalities is placed high on its agenda.
- An integrated approach is taken to meet our key objectives and address any considerations required to eliminate inequality in any of the nine protected characteristics defined in the Equality Act 2010- see section 8; Definitions.

**1.7** This policy transcend all other policies as the promotion of equality and diversity, elimination of discrimination, application of human rights and fostering of good relationships ought to be integral to all of Whittington Health's operational and strategic healthcare activities.

SCHEME OR LAW		REQUIREMENTS
CARE QUALITY COMMISSION KEY LINES OF ENQUIRY	There is a proactive approach to understanding the needs of different groups of people and to deliver care in a way that meets these needs and promotes equality. This includes people who are in vulnerable circumstances	
	A systematic approach is taken to working with other organisations to improve care outcomes, tackle health inequalities and obtain best value for money	
	There are high levels of staff satisfaction across all equality groups. There are consistently high levels of constructive engagement with staff, including all equality groups	
	Innovative approaches are used to gather feedback from people who use services and the public, including people in different equality groups	
EQUALITY ACT	Various legal obligations not to discriminate – directly or indirectly – harass, or victimize staff or service users because they possess a protected characteristic	
EQUALITY DELIVERY SYSTEM	Better health outcomes for all	<ul style="list-style-type: none"> <li>1.1 Services are commissioned, procured, designed and delivered to meet the health needs of local communities</li> <li>1.2 Individual people's health needs are assessed and met in appropriate and effective ways</li> <li>1.3 Transitions from one service to another, for people on care pathways, are made smoothly with everyone well-informed</li> <li>1.4 When people use NHS services their safety is prioritised and they are free from mistakes, mistreatment and abuse</li> <li>1.5 Screening, vaccination and other health promotion services reach and benefit all local communities</li> </ul>
	Improved patient access + experience	<ul style="list-style-type: none"> <li>2.1 People, carers and communities can readily access hospital, community health or primary care services</li> <li>2.2 People are informed and supported to be as involved as they wish to be in decisions about their care</li> <li>2.3 People report positive experiences of the NHS</li> <li>2.4 People's complaints about services are handled respectfully and efficiently</li> </ul>
	Empowered, engaged +	<ul style="list-style-type: none"> <li>3.1 Fair NHS recruitment and selection processes lead to a more representative workforce at all levels</li> <li>3.2 The NHS expects employers to use equal pay audits to help fulfil their legal obligations</li> </ul>

SCHEME OR LAW		REQUIREMENTS
	supported staff	<p>3.3 Training and development opportunities are taken up and positively evaluated by all staff</p> <p>3.4 When at work, staff are free from abuse, harassment, bullying and violence from any source</p> <p>3.5 Flexible working options are available to all staff</p> <p>3.6 Staff report positive experiences of their membership of the workforce</p>
	Inclusive leadership at all levels	<p>4.1 Boards and senior leaders routinely demonstrate their commitment to promoting equality</p> <p>4.2 Papers that come before the Board and other major Committees identify equality-related impacts including risks</p> <p>4.3 Middle managers and other line managers support their staff to work in culturally competent ways within a work environment free from discrimination</p>
PUBLIC SECTOR EQUALITY DUTY	<p>The PSED places an obligation on organisations to pay due regard to:</p> <ul style="list-style-type: none"> <li>• eliminating discrimination, harassment and victimisation and other conduct prohibited by the Equality Act</li> <li>• advancing equality between people from different groups</li> <li>• encouraging participation of underrepresented groups</li> </ul>	
WORKFORCE RACE EQUALITY STANDARD	Ensure the organisation promotes fairness and equality in relation to: BME (Black and Minority Ethnic) staff progress to bands 8-9 and senior management; shortlisting of BME applicants; use of disciplinary procedures against BME staff; and BME staff access to training	
	Ensure the organisation promotes fairness and equality in relation to: harassment and bullying of staff; experiences of discrimination from colleagues; and perceptions of fairness in promotion	
	Ensure the organisation promotes fairness and equality in relation to the make-up of the board	

## **2.0 POLICY STATEMENT**

**2.1** Whittington Health is committed to the principles of equality, inclusion and human rights for all patients, staff, and carers. The Trust's Clinical Strategy for the next five years demonstrates an ambition for the future and provides a framework which incorporates clinical core elements which are:

- Integrated care
- Ambulatory care
- Enhanced recovery

As an integrated care organisation forging ahead with multiple approaches to be innovative, developing new models of care and partnership working, recognising the vast levels of differences, diversity and inequity we therefore believe service users/patients and their families should receive the same, world class standard of care, regardless of their background or protected characteristic. We will also ensure services are open to every member of our communities.

**2.2** Whittington Health as a large local employer is keen to recruit and retain the very best staff to provide quality services. This includes reflecting the diverse and multi-cultural local communities represented at all levels of the Trust.

All Recruiting Managers have a responsibility to ensure that discrimination does not occur during the recruitment and selection process. Whittington Health has guidelines aimed at achieving good practice and a consistent approach to the main legislation which applies in recruitment.

All those involved in recruitment activities must be aware of the local policies, relevant legislation and the latest legal position on issues such as discrimination, the need to treat candidates fairly, asylum and immigration rules, data protection, employing those with criminal records and anyone who will be working with children or vulnerable adults. See section 10; Associated Documents for more information on the range of relevant policies

All Human Resources policies have been through an Equality Analysis to ensure discrimination is eliminated.

**2.3** We are keen for staff to be highly motivated, engaged and consider Whittington Health as an employer of choice. All employees, regardless of their employment status, will be treated fairly and with respect. All employees will be helped and encouraged to develop their full potential. Whittington Health is committed to creating a working environment in which staff are free from bullying, discrimination, and harassment – see section 10; Associated documents for links to the relevant policies and guidance.

**2.4** Whittington Health recognises that some groups have historically been disadvantaged with regards to their experiences as a service user, carer or employee in the NHS on the basis of their ethnicity, age, gender, sexual orientation, or another factor.

**2.5** Staff are free to exercise their freedom to express their views, religious and other beliefs in accordance with the Trust's policy, code of conduct and organisational values.

### **3.0 DUTIES (Roles and Responsibilities)**

**3.1 All employees** have full responsibility to make sure we meet our public duty to apply good practice to all the equality areas to ensure equity of health outcomes and employment. The overall responsibility, including the compliance of this policy lies with the Chief Executive on behalf of the Trust Board. The implementation of particular aspects of this policy is delegated to the following, demonstrating the levels of responsibilities:

**3.2 The Chief Executive** has overall responsibility for promotion of equality throughout Whittington Health. The Chief Executive shall lead in the establishment of good practice to ensure that equality is performance monitored using the relevant legislation, regulatory measures and strategic goals and values agreed by the Trust.

**3.3 The Trust Board** has the responsibility for holding the Chief Executive and the senior leadership accountable at a strategic and operational level of the Trust through monitoring progress and achievements from a strategic perspective

**3.4 Medical Director (Integrated Care)** has executive responsibility as the executive sponsor and diversity champion for the Trust

**3.5 The Trust Management Group** are responsible and accountable to the Chief Executive for ensuring that the Public Sector Equality Duty in terms of promoting equality, eliminating discrimination and fostering good relations are evident in the strategic planning and daily operation of the Trust's healthcare. The duties of the Trust Management Group will include supporting the Chief Executive in setting strategic targets measured against the Trust's overall goals and values.

**3.6 Head of Education, Learning & Development:** provides expert advice, acts as coordinator across the Trust.

**3.7 All line managers** are responsible and accountable for ensuring that equality are implemented throughout all aspects of delivery of healthcare, including the employment, leadership and management of staff.

**3.8 All staff** have a duty to promote equality, eliminate discrimination, respect and enhance diversity, and foster good relations, especially as staff work directly with patients, service users and other stakeholders on a daily basis.

**3.9 All contractors, sub-contractors and agencies** directly or indirectly employed by Whittington Health are required to adhere to the relevant legislation and policies to promote equality, eliminate discrimination and foster positive relationships.

**4.0** Within our **LEADERSHIP and POLICY DECISIONS**, Whittington Health will give due regard to equality information, implications and consideration during our decision making, in how we act as employers, how we develop, evaluate and review policies, and how we design, deliver and evaluate services, including working relationships. This policy will:

**4.1** Ensure that consideration of equality activities are at the mainstream of planning, training, delivery and day-to-day practice across Whittington Health

**4.2** Create local, regional and national partnerships and alliances to ensure that all sectors benefit from our activities and services in the community, such as local authorities, Clinical Commissioning Groups (CCGs) Local Education Training Board (LETB), colleges and universities and voluntary groups

**4.3** Share good practice with other agencies and stakeholders

**4.4** Foster greater understanding and trust with the different equality groups and communities

**4.5** Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Equality Act 2010

**4.6** Meet the current legal requirements concerning all protected characteristics

**4.7** Monitor progress of our action plan on a regular basis.

**4.8** Demonstrate the Trust's accountability to the public, agencies, and other stakeholders

**4.9 For our patients:**

- ✓ Reduce health inequalities and improve health outcomes for patients and service users.
- ✓ Engage with and foster greater understanding and trust with the different equality groups and communities and to ensure that their needs are taken into account in planning services.
- ✓ Ensure equal access to services, and work to enhance and improve service user/patients' experience, choice and control.
- ✓ Enable the public and other agencies to hold us to account for progress.
- ✓ Learn from feedback, including complaints and improve outcomes.

#### **4.10 For our employees**

- ✓ To ensure work is undertaken to underpin and promote equality across the whole Trust and to ensure the policy does not simply gather dust on some shelf. The action plan will be a 'work in progress' to incorporate all aspects of Whittington Health healthcare activities.
- ✓ Ensure that trust policies and practices do not discriminate during recruitment and selection; education, learning and training; and promotional opportunities
- ✓ Raise awareness and ensure our staff are trained and up to date in equality awareness, and relevant legislation
- ✓ Train and enable staff to challenge discrimination, promote and respect diversity and foster good relationships, applicable to employees and patients/service users or any other stakeholder.
- ✓ Encourage and support the development of innovative projects that promote equality of opportunity
- ✓ Foster greater understanding and trust with the different equality groups and communities

#### **5.0 AIMS**

To help us meet these aims Whittington Health will:

##### **5.1 Consult our communities:**

Actively engage with stakeholders, service users, carers, and equalities groups such as BME, Lesbian, Gay, Bisexual and Transgender (LGBT) communities, including those representing different types of disabilities, as a key part of Whittington Health's equality aims and work.

##### **5.2 Review information available to us:**

Continue to review staff employment data, staff survey results, patient complaints and comments, gain advice from public bodies and keep abreast of up and coming legislation.

##### **5.3 Conduct equalities analyses**

Conduct Equality Analysis (EA) whilst reviewing or developing policies. EA is a process of systematically analysing a policy or service function to identify what effect or likely effect will follow from the implementation and or operation of the policy or service function for different protected groups. The EA process enables all services to document equality deliberations and conclusions and show transparency and accountability to the wider community. The process ensures that the needs of the patient/service user are addressed and, as far as possible, any identified negative consequences are eliminated. The EA provides an opportunity for promotion of the equality work taking place across the Trust. Our EA process can be found in section 14; Appendix 2.

## 5.4 Provide learning opportunities and training

Equality, diversity and inclusion training is mandatory and is defined as a core skills training. This training is included in corporate induction for all new employees. Other training and learning opportunities are available to support employees and managers to gain a better understanding and skills in promoting equality, diversity and inclusion. Up to date information on the variety of specific equality training is available on the Trust's intranet via the Education and Training page, click: <http://intranet.whittingtonhealth.nhs.uk/default.asp?c=8303>

## 5.5 Equality

All training and learning opportunities must reflect the principles of equal opportunities, fairness, respect and promotion of diversity throughout the content and delivery to ensure that the sessions and materials are free from discrimination and exclusion.

## 6.0 OUR EQUALITY OBJECTIVES

As noted in section 1, Whittington Health has legislative and regulatory requirements and is required to publish one or more objectives which will help it meet any of the aims of the Public Sector Equality Duty. The organisation is required to meet the four goals outlined in the Equality Delivery System (EDS) version 2.

6.1 The equality objectives will be delivered through the Trust's six key strategic goals and organisational values as outlined in the Clinical Strategy. We will review our progress on meeting our targets annually. Progress and achievements will be published on the Trust's website on an annual basis.

## 6.2 Equality goals and outcome responsibilities with the Strategic goals:

<b>Equality Goals based on Equality Delivery System (version 2)</b>	<b>Responsibility</b>
Better health outcomes for all	Trust Management Group
Improved patient access and experience	Director of Nursing and Patient Experience
Empowered, engaged and well support staff	Chief Executive
Inclusive Leadership at all levels	Director of Human Resources
<b>Our Clinical Strategy Goals 2015 to 2020 "Helping local people live longer, healthier lives"</b>	
SG1: To secure the best possible health and wellbeing for all our community	
SG2: To integrate/co-ordinate care in person-centred teams	
SG3: To deliver consistent high quality, safe services	
SG4: To support our patients/users in being active partners in their care	
SG5: To be recognised as a leader in the fields of medical and multi-professional education, and population-based clinical research	
SG6: To innovate and continuously improve the quality of our services to deliver the best outcomes for our local population	

## 7.0 MONITORING, COMPLIANCE, AND EFFECTIVENESS

**7.1** The Trust Board and Trust Management Group will include equality, diversity and Human Rights as an agenda item a minimum of twice a year to monitor progress and achievements against our policy and initiate action to ensure delivery. The Trust Management Group will have a governance remit and will include representatives from the Trust board, trade unions, staff, and where appropriate patient groups in attendance.

**7.2** A full review of the Trust's equality objectives in light of the Trust's progress and achievements against the strategic goals and vision as outlined in the Clinical Strategy – 2015 to 2020. .

**7.3** Annual progress report(s) on our equality action plan, s will be published on our intranet and website and summarised in our annual corporate reports.

**7.4** Consider survey results and feedback from staff, patients and service user to improve service delivery.

## 8.0 DEFINITIONS

**The Equality Act 2010** (the Act) consolidates and replaces the previous discrimination legislation for England, Scotland and Wales. It covers discrimination on the basis of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation (known under the Act as 'protected characteristics').

**8.1 The nine protected characteristics** defined by the Equality Act are:

<b>Age</b> Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).
<b>Disability</b> A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
<b>Gender reassignment</b> The process of transitioning from one gender to another. Examples of gender reassignment could be when a person is undergoing, is proposing to undergo, or has undergone a process to change physiological or other attributes of sex. This can be by undergoing medical procedures or may be by non-medical means, such as changing the way in which they dress.
<b>Marriage and civil partnership</b> The Marriage (Same Sex Couples) Act 2013 (the Act) extends marriage to same sex couples in England and Wales, and marriage laws have been amended accordingly effective since 29 <sup>th</sup> March 2014. Civil partners must not be treated less favourably than married individuals.
<b>Pregnancy and maternity</b> Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context.
<b>Race</b> Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

**Religion and belief** Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

**Sex** A man (male) or a woman (female).

**Sexual orientation** Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

**Equality** can be described as breaking down barriers, eliminating discrimination and ensuring equal opportunity and access for all groups both in employment, and to goods and services; the basis of which is supported and protected by legislation.

**Diversity** can be described as celebrating differences and valuing everyone. Each person is an individual with visible and non-visible differences and by respecting this everyone can feel valued for their contributions which is beneficial not only for the individual but for the Library.

**Equality and Diversity** are not inter-changeable but inter-dependent. There can be no equality of opportunity if difference is not valued and harnessed and taken account of.

**8.3** The Human Rights Act 1998, also known as the Act or the HRA, came into force in the United Kingdom in October 2000. The principles of the Act incorporate fairness, respect; equality, dignity and autonomy; commonly known as the FREDA principle. FREDA complements the Trust's values and can be seen as the fundamentals for basic good health care for those providing services and those receiving services.

## **9.0 CONSULTATION**

**9.1** Consultation took place involving a ranged of stakeholders. An on-line survey and focus groups involving staff and patients were held at the beginning of 2015. Feedback from the survey and focus groups have been listened to and considered in the development of this policy. .

**9.2 The following questions were some raised during the consultation process:**

Q1. What are your views on Whittington Health Equality Scheme?

Q2. To what extent do you believe that our approach will promote Equality, Diversity, Inclusion and Human rights within Whittington Health?

Q3. What are the areas for improvement and their priority?

Q4. What are the barriers to addressing these areas?

Q5. In your role how can you influence implementing this policy? (Staff only question)

## 10.0 ASSOCIATED DOCUMENTS

Title	Intranet Hyperlink
Absence Policy	<a href="http://intranet.whittingtonhealth.nhs.uk/default.asp?c=11661">http://intranet.whittingtonhealth.nhs.uk/default.asp?c=11661</a>
Appraisal Policy	<a href="http://intranet.whittingtonhealth.nhs.uk/default.asp?c=16365">http://intranet.whittingtonhealth.nhs.uk/default.asp?c=16365</a>
Corporate Induction Policy	<a href="http://intranet.whittingtonhealth.nhs.uk/default.asp?c=17888">http://intranet.whittingtonhealth.nhs.uk/default.asp?c=17888</a>
Bullying and Harassment Policy	<a href="http://intranet.whittingtonhealth.nhs.uk/document.ashx?id=2303">http://intranet.whittingtonhealth.nhs.uk/document.ashx?id=2303</a>
Education and Training Policy	<a href="http://intranet.whittingtonhealth.nhs.uk/default.asp?c=10370">http://intranet.whittingtonhealth.nhs.uk/default.asp?c=10370</a>
Human Resources policy	<a href="http://intranet.whittingtonhealth.nhs.uk/default.asp?c=5917">http://intranet.whittingtonhealth.nhs.uk/default.asp?c=5917</a>
Mandatory training policy	<a href="http://intranet.whittingtonhealth.nhs.uk/default.asp?c=20614">http://intranet.whittingtonhealth.nhs.uk/default.asp?c=20614</a>
Raising a concern	<a href="http://intranet.whittingtonhealth.nhs.uk/default.asp?c=21429">http://intranet.whittingtonhealth.nhs.uk/default.asp?c=21429</a>
Recruitment & Selection Policy	<a href="http://intranet.whittingtonhealth.nhs.uk/default.asp?c=9043">http://intranet.whittingtonhealth.nhs.uk/default.asp?c=9043</a>
Trade Unions	<a href="http://intranet.whittingtonhealth.nhs.uk/search/?q=trade+unions&amp;x=5&amp;y=6">http://intranet.whittingtonhealth.nhs.uk/search/?q=trade+unions&amp;x=5&amp;y=6</a>
Health, safety and security	<a href="http://intranet.whittingtonhealth.nhs.uk/search/?q=health+and+safety+&amp;x=4&amp;y=6">http://intranet.whittingtonhealth.nhs.uk/search/?q=health+and+safety+&amp;x=4&amp;y=6</a>

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(Accessed 17/08/15)

NHS Employers: As an organisation, NHS Employers is an authoritative voice of workforce leaders, experts in Human Resources, and negotiate fairly to get the best deal for patients.

<http://www.nhsemployers.org/about-us>

(Accessed 17/08/15)

## **12.0 SUPPORT SERVICES**

### **Occupational Health and Well-being Service**

The Occupational Health and Well-being Centre (OH&WS) provides a wide range of services that includes a staff support function. Staff may be seen if there is any health problem affecting work or any possibility of work adversely affecting health. Staff may refer themselves or may be referred by their manager. The OH&WS work closely with other agencies that may be able to provide support including People at Work counselling services.

External advice can also be sought from the following organisations:

**ACAS** (Advisory, Conciliation and Arbitration Service)

Website: [www.acas.org.uk](http://www.acas.org.uk) Helpline: [08457 47 47 47](tel:08457474747)

ACAS Equality Direct Helpline Tel: [08456 00 34 44](tel:08456003444)

**Equality and Human Rights Commission**

Web Site: [www.equalityhumanrights.com](http://www.equalityhumanrights.com) Helpline: [0845 604 6610](tel:08456046610)

**Mind**

It helps people take control of their mental health

Website: [www.mind.org.uk](http://www.mind.org.uk) Tel: [0300 123 3393](tel:03001233393)

**Scope**

It is a charity that supports disabled people and their families.

Website: [www.scope.org.uk](http://www.scope.org.uk) Tel: [0808 800 3333](tel:08088003333)

**Stonewall**

Works to achieve legal equality and social justice for lesbians, gay men and bisexual people.

Website: [www.stonewall.org.uk](http://www.stonewall.org.uk) Tel: [020 7593 1850](tel:02075931850)

## 13.0 EQUALITY IMPACT ANALYSIS

### Whittington Health – Equality Form

#### 1. Name of Policy or Service

Equality Scheme 2015 – 2018 Promoting Equality, Diversity and Human Rights at Whittington Health Policy

#### 2. Assessment Officer

Charlotte Johnson

#### 3. Officer responsible for policy implementation

Charlotte Johnson

#### 4. Completion Date of Equality Analysis *11/December/2014*

#### 5. Description and aims of policy/service

The aim of this policy is to fulfil our duty under the Public Sector Equality Act and to improve access and outcomes for our patients, employees and carers by promoting and embedding equality, diversity, inclusion and human rights across the organisation.

#### 6. Initial Screening

An initial analysis has been carried out to explore whether the Equality Scheme is likely to have a detrimental impact in terms of people included in one or more of the following equality categories:

- Race
- Disability
- Gender
- Age
- Sexual orientation
- Religion and belief
- Gender Reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Social economic groups

## **7. Outcome of initial screening**

No detriment to any protected characteristic was identified as long as the document was available to patient groups, employees and stakeholders in various formats.

## **8. Monitoring and review/evaluation**

Each year when the equality action plan is reviewed an equality analysis should be considered and reviewed.

## **9. *Publication of document: Intranet***