



Delivering Quality Healthcare

Policy Title	Equal Opportunity and Diversity. Policy: 28	Date Implemented or Date of Last Review	10/05/2020
CQC KLOE Reference	Well Led	Date of Next Review	09/05/2021

1. AIM OF THE POLICY

- 1.1. KOPE-MEDICS values diversity and recognises that the organisation is greatly enhanced by the different range of backgrounds, experiences, views, beliefs and cultures represented within its temporary workers.
- 1.2. We aim to embrace diversity in all our activities and acknowledges that variety and difference are intrinsic to the success and future development of our business.
- 1.3. KOPE-MEDICS is committed to equal opportunities for all temporary workers and applicants. It is our policy that all employment decisions are based on merit and the legitimate business needs of the organisation.
- 1.4. The organisation does not discriminate on bases of race, colour or nationality, ethnic or national origins, gender reassignment, sexual orientation, marital or civil partner status, pregnancy or maternity, religion, age or any other ground of which it is unlawful to discriminate under the law of England and Wales.
- 1.5. Our primary objective is ensuring that to our temporary workers work in an environment which allows them to full fill their potential without fear of discrimination, harassment or victimization.
- 1.6. KOPE-MEDICS commitment to equal opportunity extends to all aspects of the working relationship including
 - 1.6.1. Recruiting and selecting process
 - 1.6.2. Training, appraisals, career development promotion
 - 1.6.3. Work practice, conduct issues, allocation of tasks, discipline and grievances
 - 1.6.4. Work related social events and
 - 1.6.5. Termination of employment and matters after termination, including references

KOPE-MEDICS Ltd

Unit 41, St Olav's Court, City Business Centre, 25, Lower Road, London SE16 2 XB
T +44 2 03745 0470 E info@kope-medics.com W www.kope-medics.com



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1.6.6. The principle of a non-discriminatory and equal opportunity also applies to the way in which temporary workers treat visitors, clients' suppliers and former temporary workers.

1.6.7. This policy and the associated arrangements shall operate in accordance with statutory requirements. In addition, full account will be taken of any guidance or Codes of Practice issued by the Equality and Human Rights Commission, any Government Departments, and any other statutory bodies.

2. SCOPE OF THE POLICY

2.1.1. Achieving an equal opportunity and diversity workplace is a collective task shared between KOPE-MEDICS and all its temporary workers. This policy and the rules contained in it therefore apply to all temporary workers of KOPE-MEDICS irrespective of seniority, tenure and working hours, including all temporary workers, director, consultants and contractors, trainees, homeworkers, volunteers, casual and agency;

2.1.2. There are various types of discrimination prohibited by this policy. The main types are:

2.2. DIRECT DISCRIMINATION

2.3. This is when a temporary worker or applicant is treated less favourably than someone else because of their:

2.3.1. sex

2.3.2. marriage or civil partnership

2.3.3. gender reassignment

2.3.4. pregnancy and maternity leave

2.3.5. sexual orientation

2.3.6. disability

2.3.7. race

2.3.8. religion or belief

2.3.9. age and that there is no genuine occupation requirement for it.

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2.3.10. People also must not be discriminated against because they are on a part time or fixed term contract

3. INDIRECT DISCRIMINATION

3.1. This is where there is a working condition, practice or rule that disadvantages one group of people more than another. In other words, it is more difficult for people from one group to comply with the requirement. Even if it is done accidentally indirect discrimination is unlawful. Indirect discrimination is only allowed if it is necessary for the way the business works, and there is no other way of achieving it.

3.2. DISCRIMINATION ARISING FROM DISABILITY

3.2.1. This is where a disabled person is treated unfavourably because of something connected to their disability where it cannot be objectively justified. This only applies where the organisation knew or could reasonably be expected to know that the person was disabled.

3.2.2. Associative Discrimination

3.2.3. This is where someone is treated worse than someone else because they are associated with someone with a protected characteristic.

3.2.4. Perceptive Discrimination

3.2.5. This is where someone is treated worse than someone else because there has been an incorrect assumption that they have a protected characteristic. This applies even if the person does not possess the characteristic.

3.2.6. Third Party Harassment

3.2.7. This is where a temporary worker is harassed by a third party who is not a temporary worker e.g. volunteers or clients. The organisation becomes liable if it has happened on at least two occasions, that it is aware that it took place and have not taken steps to prevent it happening again

4. RESPONSIBILITIES

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- 4.1. Temporary workers and volunteers of KOPE-MEDICS have a duty to act within this policy, ensure it is followed and to draw attention to any suspected discriminatory acts or practices.
- 4.2. The Human Resources director has an overall responsibility for this policy and for equal opportunity and discrimination law compliance in workplace.
- 4.3. The recruitment consultant has been appointed as the person with day to day operational responsibility for these matters and he will receive appropriate.
- 4.4. The recruitment consultant must take necessary steps to
 - 4.4.1. Promote the objectives of equal opportunities and the values set out in this policy
- 1.1. Ensure that his/her behaviour and those of the temporary workers he/she manages complies in full with the policy
 - 1.1.1. Ensure that any complaints of discrimination, victimisation, harassment are dealt with appropriately and are not suppressed or disregarded.
 - 1.1.2. All temporary workers have personal responsibility to ensure compliance with this policy, to treat colleagues with dignity at all times and not to discriminate against or harass other temporary workers, clients, customers, suppliers and former members.
 - 1.1.3. In addition, temporary workers who take part in management, recruitment, selection, promotion, training and other aspect of career development have a special responsibility for leading by example and ensuring compliance
 - 1.1.4. Breaches of the Equality and Diversity Policy by temporary workers
 - 1.1.5. Breaches of this policy by temporary workers may be dealt disciplinary procedures.
 - 1.1.6. Breaches of the Equality and Diversity Policy by volunteers
 - 1.1.7. Whilst the organisation is potentially liable for any discriminatory acts carried out by its volunteers, temporary workers or trustees, the individual who carries out the discriminatory act can also be personally liable.

2. EQUALITY AND DIVERSITY IN PRACTICE

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- 2.1. In carrying out the policy, the organisation will consult temporary workers individually on whether adjustments are needed to avoid individuals being disadvantaged.
- 2.2. KOPE-MEDICS shall endeavour to seek to accommodate temporary workers within reason. Where It will consider adjustment is unreasonable, we will explain why and try to find an alternative solution.
- 2.3. Attention will be placed on the following:
 - 2.3.1. Use of selection criteria that does not unlawfully discriminate in recruitment and promotion procedures
 - 2.3.2. Requiring entry to employment /volunteering or progression within it to be based on merit
 - 2.3.3. Not discriminating in opportunities for recruitment, training, promotion or transfer of temporary workers or volunteers
 - 2.3.4. Ensuring that every individual is assessed per his or her personal capability to carry out a given job/role;
 - 2.3.5. Ensure that all temporary workers are given equal treatment regarding terms and conditions of employment, provided they do the same or broadly similar work, or work of equal value;
 - 2.3.6. Ensure equal opportunities and non-discrimination in the operation of grievance and disciplinary procedures;
 - 2.3.7. Ensure that all relevant requirements of the Equality Act in relation to disability are met and adhered to. This will include making reasonable adjustments to ensure access to employment or volunteering tasks and opportunities;
 - 2.3.8. Ensure that any amendments to any legislation relating to discrimination are met and adhered to.

3. IMPLEMENTATION OF THE POLICY

- 3.1. All temporary workers, and volunteers will be involved in creating an equality environment and one that values diversity.
- 3.2. **Communication**

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Communication of the policy to job applicants and temporary workers / volunteers will involve:

- 3.2.1. Making available a copy of the policy to prospective applicants
- 3.2.2. Ensuring all new starters have the opportunity to implementation of the policy
- 3.2.3. Making use of team meetings to discuss the policy and defining areas where practice could be improved
- 3.2.4. Providing non- discrimination selection training for managers who are recruiting
- 3.2.5. Providing Equality and Diversity training and guidance to temporary workers and volunteers (including trustees) Including reference to abiding by the policy in temporary workers terms and conditions/ volunteer agreements
- 3.2.6. Incorporating specific responsibilities into job/role descriptions
- 3.2.7. Working with partners
- 3.2.8. In selecting our partners, we will consider their commitment to Equality and Diversity by:
 - 3.2.9. Asking to see their policy
 - 3.2.10. Asking what they do in practice, including monitoring the policy
 - 3.2.11. Users of our services
 - 3.2.12. We will make our services accessible by:
 - 3.2.13. Considering formats for promotional material
 - 3.2.14. Appropriate use of language/ formats / fonts/ size
 - 3.2.15. Considering whether information should be available in alternative formats e.g. easy read /other languages
 - 3.2.16. Considering locations where the organisation's services are promoted /advertised (these could be named)
 - 3.2.17. Considering accessibility of locations from which the service is provided
 - 3.2.18. Considering the diverse make up of our temporary workers/ volunteers in relation to your clients
 - 3.2.19. Considering the impact of proposed new services on the user group

4. MONITORING THE POLICY

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- 4.1. This policy will be monitored to judge to what extent it is working and identify areas for improvement.
- 4.2. Monitoring will relate to both temporary workers / volunteers and to clients and methods used will include
- 4.3. Reporting discrimination / potential discrimination
- 4.4. Temporary workers who feel that they have suffered any form of discrimination should raise with the management team
- 4.5. Volunteers who feel that they have suffered any form of discrimination should raise the issue through our grievance procedure
- 4.6. Clients who feel that they have suffered any form of discrimination should report to their immediate superior e.g., supervisor or duty manager
- 4.7. Temporary workers/volunteers/clients should also use this approach if they feel that they been the subject of harassment from someone who is not a temporary worker of KOPE-MEDICS Ltd.
- 4.8. KOPE-MEDICS will not tolerate any harassment from third parties towards its temporary workers/volunteers/clients and will take appropriate action to prevent it happening again.
- 4.9. if a temporary worker/volunteer/client witnesses' behaviour that they find offensive in relation to age, marriage or civil partnership, pregnancy and maternity, disability, gender reassignment, race, religion or belief, sex and sexual orientation, even if it is not directed at them they should also use this procedure.

5. REVIEW

- 5.1. This policy will be reviewed every year by the Human Resources director to ensure that it remains up to date and reflects the needs and practices of the organisation.
- 5.2. The policy may also be reviewed if legislation changes or if monitoring information suggests that policy or practices should be altered.

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