



DIVERSITY & INCLUSION (DI) POLICY

This policy our beliefs and values regarding duties towards ensuring equal opportunities, encompassing and the active promotion of diversity and inclusion.

November 2023



We are committed to promoting equality and diversity, which embraces a broader definition than equal opportunities.

INTRODUCTION

South West Intervention Services (“SWIS”) are committed to ensuring that everyone is treated with respect, regardless of race, nationality, religion or belief, gender, sexuality, disability, age, or marital status. We celebrate diversity and believe in equality. Rights, tolerance, respect, and fairness will remain at the heart of all we do and achieve.

This policy applies to individuals receiving care and/or support, as well as colleagues and all other relevant stakeholders.

THE LAW: THE EQUALITY ACT 2010

The following characteristics are protected characteristics. This means protections are afforded to people in terms of their:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity.
- Race
- Religion or belief
- Sex
- Sexual orientation.



AGE

The Act protects people of all ages. It is important to note that different treatment because of age is not unlawful direct or indirect discrimination if it can be justified, i.e., “If it can be demonstrated that it is a proportionate means of meeting a legitimate aim.”

Age is the only protected characteristic that allows employers to justify direct discrimination.



DISABILITY

The Equality Act has made it easier for a person to show that they are disabled and protected from disability discrimination. Under the Act, a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities, which would include things like using a telephone or using public transport.

The Act puts a duty upon SWIS to make reasonable adjustments staff to help staff overcome disadvantage resulting from impairment (e.g., by providing assistive technologies). The Act includes protection from discrimination arising from disability. This states that it is discrimination to treat a disabled person unfavourably because of something connected with their disability (e.g., a tendency to make spelling mistakes arising from dyslexia).

This type of discrimination is unlawful where the employer or other person acting for the employer knows, or could reasonably be expected to know, that the person has a disability. This type of discrimination is only justifiable if an employer can show that it is a proportionate means of achieving a legitimate aim.

Additionally, indirect discrimination covers disabled people. This means that a job applicant or employee could claim that a specific rule or requirement you have in place disadvantages people with the same disability. The Act also includes a provision, which makes it unlawful, except in certain circumstances, for employers to ask about a candidate's health before offering them work.



GENDER REASSIGNMENT

The Equality Act provides protection for transsexual people. A transsexual person is someone who proposes to, starts or has completed a process to change his or her gender. The Act no longer requires a person to be under medical supervision to be protected.

It is discrimination to treat transsexual people less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment.



MARRIAGE & CIVIL PARTNERSHIP

The Act protects employees who are married or in a civil partnership against discrimination.



PREGNANCY & MATERNITY

A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled. During this period, pregnancy and maternity discrimination cannot be treated as sex discrimination.

We will not take into account an employee's period of absence due to pregnancy-related illness when deciding upon her employment.

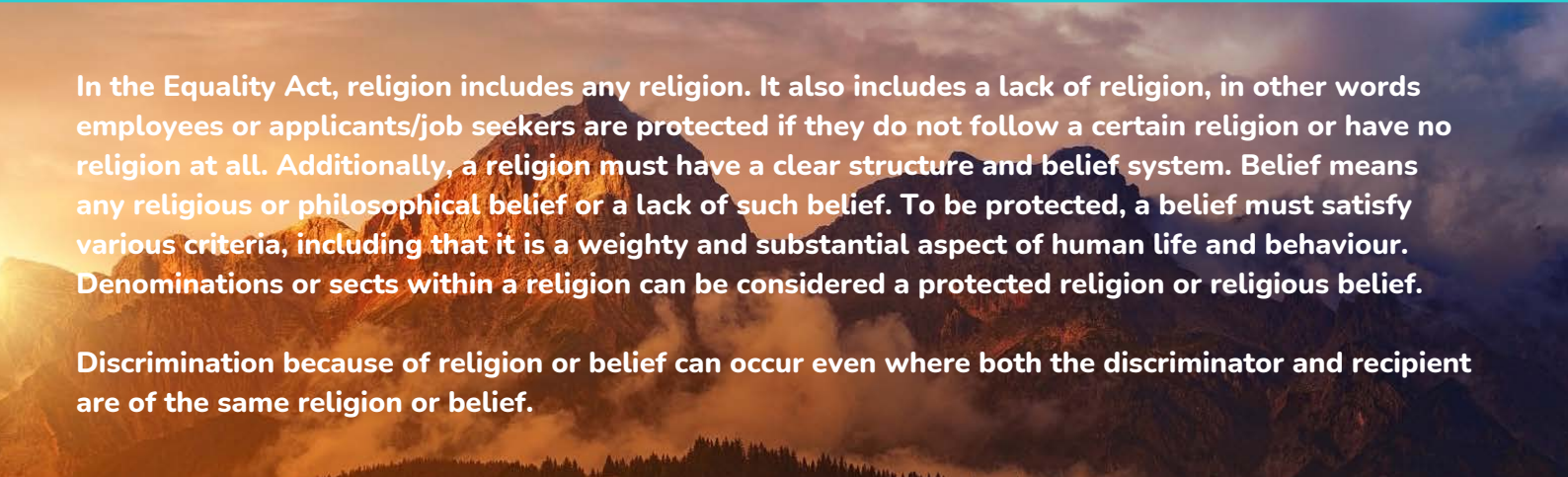


RACE



In the Act, 'race' includes skin colour, nationality and ethnic or National origins.


RELIGION OR BELIEF SYSTEM



In the Equality Act, religion includes any religion. It also includes a lack of religion, in other words employees or applicants/job seekers are protected if they do not follow a certain religion or have no religion at all. Additionally, a religion must have a clear structure and belief system. Belief means any religious or philosophical belief or a lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Denominations or sects within a religion can be considered a protected religion or religious belief.

Discrimination because of religion or belief can occur even where both the discriminator and recipient are of the same religion or belief.

SEX



The Act protects bisexual, gay, heterosexual and lesbian people.

TYPES OF DISCRIMINATION

Discrimination is defined by the following areas:

- **Direct discrimination**
- **Discrimination by association**
- **Perception Discrimination**
- **Indirect discrimination**
- **Harassment**
- **Harassment by others**
- **Victimisation**



DIRECT DISCRIMINATION

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (Please see: Perception Discrimination below), or because they associate with someone who has a protected characteristic.

DISCRIMINATION BY ASSOCIATION

Applies to age, race, religion or belief, sexual orientation, disability, gender reassignment, and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

PERCEPTION DISCRIMINATION

Applies to age, race, religion or belief, sexual orientation, disability, gender reassignment, and sex. This is direct discrimination against an individual because others think they possess a protected characteristic.

Perception discrimination applies even if the person does not actually possess that characteristic.

INDIRECT DISCRIMINATION

Indirect discrimination can occur when you have a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if it can be demonstrated that an organisation acted reasonably (in managing the business), i.e., that it is 'a proportionate means of achieving a legitimate aim'. Being proportionate really means being fair and reasonable, including showing that 'less discriminatory' alternatives to any decision made have been explored.

HARASSMENT

Harassment is “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 and civil partnership. Employees will now be able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves'. Employees are also protected from harassment because of perception and association.

HARASSMENT BY OTHERS

Applies to age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation. The Equality Act makes SWIS potentially liable for harassment of colleagues by people who are not employees of your company, such as customers or clients. To ensure that SWIS remains fully compliant, as soon as a manager or supervisor is made aware that harassment has taken place, SWIS will take steps aiming to ensure it is prevented from happening again.

VICTIMISATION

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

A complainant will not need to compare their treatment with that of a person who has not made or supported a claim under the Equality Act.

PLEASE NOTE

Colleagues should refer to our Disciplinary, Professional Conduct, Grievance & Appeals Policy for matters related to harassment, bullying and victimisation.

PROMOTING DIVERSITY & INCLUSION

All colleagues must be fully aware of the following conditions:

To support, promote and maintain a culture of tolerance and respect. SWIS are committed to anti-discriminatory practice. We strive to ensure equality of opportunity for everyone regardless of their race, nationality, religion or belief, gender, sexuality, disability, age, or marital status. Therefore, this policy applies to the best interests of all stakeholders.

As such, colleagues must:

- **Treat people everyone with respect.**
- **Provide services and opportunities that are open to all.**
- **Provide a welcoming, supportive, and safe environment for all.**
- **Commit to developing an organisational culture that values all people and the individual contributions that they make.**
- **Engage with appropriate diversity and inclusion training/development opportunities.**
- **Inform and consult with all relevant stakeholders (including individuals receiving care and support, colleagues) in relation to policy development.**
- **Encourage the recruitment of employees from all parts of the community.**
- **Influence other employers and agencies to be aware of their responsibilities under relevant legislation and through this help to create a culture that encourages and promotes diversity.**
- **Carry out, monitor, and review the impact of company's policies and services to identify changes and improvements. Actions will be taken to deal with challenges and obstacles identified.**
- **Incorporate equality actions and targets into service planning.**
- **Accept our responsibilities and work within the requirements set out in all relevant legislation.**
- **Understand that allegations of behaviour that seek to undermine or contradict the values and conditions of this policy will trigger disciplinary action. If colleagues witness or suspect that a person is being subject to discrimination or harassment, they must share their concerns with a manager. If colleagues feel they are a victim of such behaviour please follow the conditions of our Disciplinary, Grievance, & Appeals Policy and they are encouraged to speak with a trusted senior colleague.**

IMPORTANT

Extremism and exploitation will not be tolerated and remain in stark contrast to the concept of celebrating diversity or valuing and promoting equality. We value individual moral, ethical and spiritual choices, with specific regard to respecting the choices people make so long as they do not impact detrimentally upon others. SWIS remains firm that no partisan views will be promoted either formally or informally.

We will treat all members of our community with respect, regardless of any perceived difference.

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